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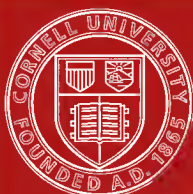
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Short Ballot

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THE H. W. WILSON COMPANY
WHITE PLAINS, N. Y., AND NEW YORK CITY

1915

E. V.

Published, August, 1915

EXPLANATORY NOTE

This Handbook is designed to furnish general information on the various governmental activities as related to the short ballot idea. The subject is new, but already has a large literature. Much of this literature pertains to the commission form of city government—a subject to which one of the earlier volumes of the Handbook Series is devoted. Consequently that subject is omitted from this volume. Readers are advised to refer also to the handbook on the commission form of city government in order to get a comprehensive view of the short ballot movement.

This Handbook concerns itself with the short ballot idea as applied to state and county government, and also includes the city manager plan of municipal government.

E. D. B.

April 19, 1915.

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INTRODUCTION

The selection of the term "Short Ballot" for the political philosophy that goes by that name is not particularly appropriate, being a surface designation for a deep and fundamental subject. The shortening of the ballot is merely the method by which the desired result is to be accomplished.

The Short Ballot is, in brief, that system of popular government which reduces the number of elective offices to a minimum. This reduction is advocated by those who believe that knowledge of the fitness of a candidate on the part of the voter is requisite to intelligent voting. The complexities of modern municipal life preclude the possibility of personal knowledge of any considerable number of candidates. The solidarity of the New England town cannot be attained by the more densely populated urban districts.

Short Ballot advocates plan to greatly reduce the number of elective officials and to hold the executive responsible for the government, and subject to recall if the electors are not satisfied.

The Short Ballot has been applied to various phases of local government. New Jersey elects one executive officer—the governor. California has a short ballot county. Many cities have adopted some form of Short Ballot government. As evidence that the Short Ballot idea is making headway, the governors of eleven states—Arizona, Colorado, Illinois, Iowa, Kansas, Michigan, Nevada, Oklahoma, Oregon, Washington and West Virginia recommended in messages to their respective legislatures in 1915 some form of Short Ballot for state or county government, or both.

The idea of responsible government by a few carefully chosen citizens has been quite generally accepted for cities—but the application of the principle to state and county government makes slower progress.

With the coming of the initiative and referendum, the voter is confronted with the necessity of deciding many questions, in addition to the long ballot containing the names of many candidates about whom he knows nothing. The questions may be

studied and intelligent conclusions arrived at. Reliable information about candidates is much more difficult to get. It seems imperative that the voter should have some relief.

The objection that the centralizing of power in the hands of a few is undemocratic is met by the instrument known as the recall. Power, far from being in one hand, is an attribute of the multitude. The multitude acting through the medium of the recall is the repository of power.

The simplification of the task of the voter is a question pressing for solution. The Short Ballot is one of the ways out.

EDNA D. BULLOCK.

April 19, 1915.

GENERAL DISCUSSION

Equity. 17:76-8. January, 1915

Bright Prospects in New York

The result of the New York campaign for the Short Ballot this year will have very great strategic importance for the whole movement throughout the United States. Fortunately, the Constitutional Convention which meets in April is composed of men who, despite their conservatism on many subjects, make common cause with those who favor the simplification of government, to the end that the average citizen may select his public representatives with intelligent discrimination. Conspicuous lights in the convention, such as Elihu Root, Henry L. Stimson, Seth Low, Herbert Parsons, etc., not only do not need to be convinced of the merit and importance of the Short Ballot principle, but they may be expected to go into the convention with a militant purpose to have the principle written into the constitution.

Only one member of prominence, to wit: Edgar Truman Brackett of Saratoga Springs, can be counted on as an enemy of the movement. Mr. Brackett's name is closely associated with the history of the old guard and entrenched standpatism. He bases his principal opposition on the argument that nothing should be done to increase, but everything to decrease, the power of the executive and to exalt the legislature. Curiously enough, Mr. Brackett does not realize that the Short Ballot advocates and he are on common ground in this respect. That is to say, if the Short Ballot principle is carried out to its logical limits, it would mean that only policy-determining officers would be elective and that the executive would be subordinated to the legislative branch, either by means of something analogous to the city manager plan or by the adoption of the parliamentary system of government. And so, Mr. Brackett's keen intellect may even yet bring him around to the point where he will be the most radical of all Short Ballot advocates!

Shortly before the November election a canvass of all the candidates for delegates to the Constitutional Convention was

made by the Short Ballot Organization. This brought in 129 replies. Of this number all but six expressed themselves as in favor of the general principle, two were against the idea, but only one of them (Mr. Brackett) was elected. Four of the delegates were non-committal.

Of 123 favoring the Short Ballot idea in general, practically all favored taking the principal administrative state officers off the ballot and providing for their appointment by the governor. A few of this number thought that the comptroller should remain on the elective list.

Seventy-four of the 123 were in favor of a constitutional amendment which would remove the present requirement that all the principal county officers must be elective. Twenty-nine were non-committal or undecided, and twenty were against the proposition.

Forty-three were definitely in favor of making the Court of Appeals appointive. The question was so stated that it is impossible to determine how many of the rest were undecided or non-committal and how many were against the appointed judiciary.

Eighty-five favored a four-year term for the governor, twelve were against the plan and the remainder were non-committal, except three, who favored a three-year term and one who favored a six-year term.

Seventy-nine believed that the governor in making appointments should have complete responsibility for the same and should not be required to submit his judgments to the Senate. Fourteen definitely favored the present system of divided responsibility. Thirty were undecided or non-committal.

On the application of the Short Ballot to the legislative side of the government very little has yet been said. The New York Times, however, comes out with the interesting though not altogether original suggestion that the number of representatives in either house of the legislature be materially reduced, with the idea of increasing the importance of legislative positions and thereby inviting a greater interest and attention on the part of the voter.

Immediately after the election on November 3d the New York Short Ballot Organization questioned 5,000 voters (names taken from telephone directory), in New York City and suburban and rural sections:

"Do you remember the *name* of the candidate you voted for (1) for lieutenant-governor, (2) for comptroller, (3) for attorney-general, (4) for secretary of state, (5) for state treasurer, (6) for state engineer, (7) for judge, Court of Appeals?" Between 700 and 800 replies were received, showing that the percentage of those replying who did *not* remember the name of the candidate they voted for was as follows:

For lieutenant-governor, 29 per cent; for comptroller, 44.4 per cent; for attorney-general, 40 per cent; for secretary of state, 31 per cent; for state treasurer, 37 per cent; for state engineer, 36 per cent; for judge, Court of Appeals, 28 per cent. There was no check, of course, on the veracity of the signers.

This census seems to dispose, rather effectively of the claim that though the voters neglect other officers they do know and care about the comptrollership.

Governor Whitman has expressed himself on the Short Ballot as follows:

"I am for the Short Ballot. I think the only elective officers of the state should be the governor, lieutenant-governor and possibly the comptroller. The attorney-general should certainly be appointed by the governor. He is the legal adviser to the governor and all the state departments, and his functions are similar to those of both corporation counsel and district attorney."

Nebraska State Journal. February 21, 1915

Short Ballot and the Judiciary. Francis A. Brogan

This whole subject of efficiency in the administration of justice is a live topic throughout the entire United States. Some time ago the National Economic League, including some of the leading thinkers in America, appointed a committee to investigate the causes and propose remedies. This committee consists of Charles W. Eliot, ex-president of Harvard University; Moorfield Storey, a lawyer and publicist of Boston; Louis D. Brandeis, a lawyer of Boston whose services in the cause of popular government are known to the entire public; A. J. Rodenbeck and Roscoe Pound. They propose six radical remedies relating to the legal profession, the judiciary, the law making power, and the people themselves. I wish there could be, before

all the people of Nebraska, a full discussion of the entire six questions raised by these eminent gentlemen and a full understanding of their views. But I must at this time confine myself to only one point and can indulge in only a few suggestions concerning that one.

It is the view of this body that, to use their own language, "effective administration of justice requires a unification of the judicial system whereby the whole judicial power of the state shall be vested in one organization, of which all tribunals shall be branches or departments or divisions."

At the present time our different courts are, to a great extent, strangers to each other. Until recently the most technical proceeding was the transfer of a case from the district to the supreme court, for purposes of review. The supreme court was not permitted to know of the existence of a lawsuit in the district court, until it was introduced to it in the most technical and formal way by the processes at that time provided by law. And, although the practice has been simplified and a liberal construction given to it, yet it still remains true that there is no connection whatever between the various courts in Nebraska, except by way of appeal. Our supreme court is not permitted to concern itself with the general administration of justice, except as individuals, from time to time, when aggrieved by a decision of the lower court, bring the record before the supreme court of review. By their decision in that particular case, they can right whatever wrong has been done and either affirm the judgment or start it on its way for a retrial. They can by their published opinion indicate what justice requires in that particular case and all other cases of a similar nature, so that, out of all their published opinions, consisting now of nearly 100 volumes, a system of law can be evolved for the guidance of lawyers in advising their clients, and the lower courts in dispatching business.

But there is no administration of the judicial department and there never has been. Our theory of courts precludes any effective administration of the entire business. We have never been even conscious of the business side of administration of justice.

This defect in their judicial system was fully analyzed and understood in England a generation ago, and now in that country there is but one court, having departments or branches.

It is the recommendation of this committee that the states that are dissatisfied with the working of their judicial system, should, by appropriate constitutional amendment and changes in the organic law establish a single court or a single department of justice, having branches corresponding to courts. If we adopted this suggestion in Nebraska, we would have a single court, of which the appellate department, or supreme court, would consist of a chief justice and six associates. The district court department would consist of the present district judges, trying cases in their respective parts of the state, and a county court with deputies corresponding to the local justices of the peace. It will thus be seen that no serious shock would be felt in transferring from the present system to that which is proposed. But the chief justice would be made the head of the department of justice, and would be literally a judge of every department of that court, as much qualified to sit as a justice of the peace, a county judge, or a district judge, as to preside over the sessions of the appellate tribunal, and this is not because it is desirable that he should ever do so, but it would enable him to organize all these separate departments into one system and make out of them an effective machinery for the prompt and efficient dispatch of the business of the courts.

It is proposed that there shall be a judicial council, composed of all the district judges in the state, who shall each year attend a meeting presided over by the chief justice, or by a presiding officer appointed by him. It is proposed that the county judges shall likewise meet once a year. Both of these meetings shall be for the purpose of reporting progress, exchanging views, and taking counsel with each other, and with the presiding officers, as to the manner in which the business of the public, so far as related to the administration of justice, is being conducted.

One of the important results of such a method would be that all the judicial efficiency of this entire body could be constantly at work for the dispatch of business. To borrow a military term recently applied to the reorganized banking system of the country, the judicial efficiency of the courts of Nebraska could be "mobilized" so as to obtain the best and highest results from the work of these public servants.

I have not the time to go into all the details of the benefits that would accrue from such a method. Some of them may be

briefly referred to. Whenever it was apparent to the chief justice that the work of the supreme court was not being dispatched so as to keep up with that docket judges from the district court could be assigned to help out with the work of the supreme court. When the cases in one district happened to be more than the judge of that district could dispatch with promptness, judges from other districts could be assigned to clean up the work. Many other details of that character would readily suggest themselves.

There are other phases of this method which would commend it to the public when its effects become apparent. One is that there would be an opportunity for promotion of judges from one department to another, and a professional spirit would be created, such as obtains in a well managed and highly organized business institution, where the lowest clerk aspires to be general manager by means of the record which he can make in his work.

What has all this to do with the Short Ballot and the constitutional convention?

In the first place, the complete, successful reorganization of our judicial system cannot be brought about by legislation, nor by constitutional amendments, adopted separately by piecemeal. Nor can we hope to secure the acceptance of the radical changes necessary, by means of desultory discussion at meetings of this character and elsewhere, whenever the subject of the dissatisfaction of the people with the working of their courts comes up for consideration. It can be adequately dealt with only in a constitutional convention, selected by the people of Nebraska in the manner provided by our present law.

It has been apparent for twenty years that our courts were not responsive to the public needs. We have adopted various remedies and made use of many devices, some of them by legislation and some by constitutional amendment, yet at the end of twenty years of such experimentation, we are back to where we were at the beginning, with a congested docket, inefficiency, delay and public dissatisfaction with the administration of justice. It is proposed to meet the difficulty by re-establishing the supreme court commission. The only objection I would suggest to that method is one that I made twenty years ago, when it was first proposed. If it serves only to turn away public attention from the vital need of an entire reorganization, then it would be better to suffer for a while the evils of a congested docket, and thus

force the calling of a constitutional convention to revise the entire system.

In so far as the present election laws force the selection of judges at an election where the voter is pelted with so many questions that his faculties of decision are benumbed and atrophied, the needs of our judicial system are vitally interested in the proposed reform of the Short Ballot. But I would be disposed to go much farther. The people of the United States are seriously reopening a debate which was considered closed fifty years ago, and are reconsidering the question whether the judges who are intended to give expert service to a highly technical function, ought not to be appointed, rather than elected by the whole people. When this question is first broached anywhere for discussion, it is assumed that the people are so convinced of the necessity of a general election of judges that they are not open to reason on the subject. I think this attitude is a mistake. To those of us who are convinced that the element of appointment by selection should figure to some extent in the naming of judges for our courts, there is a solemn duty to express the faith that is in us, and continue to believe that whatever is right and best for the public will finally be approved and favored by the public. The committee of the Economic League makes a telling point when it shows that in those courts where the judges are appointed by the executive, more progressive and liberal and advanced ideas are expressed in the decisions of the courts than in those jurisdictions where the judges are chosen at popular elections. All the narrow, technical and reactionary decisions which have provoked popular discontent with the judiciary, have occurred in those states where the judges are always elected.

A system has been suggested, containing the better features of appointment, and election by the people, and it is even adapted to furnish some slight concession to those who believe in judicial recall. It is proposed that in the first instance no member of the entire judicial system should be elected, only the chief justice. It is believed that public attention could be so centered upon that one office as to secure not only a good lawyer but a man of affairs, who would possess the administrative faculties necessary to carry out the proposed reorganization of the courts. And that this chief justice should by appointment initiate the tenure of every member of the judicial system, and

that the appointment should be, in the first instance, for a fixed term, and the tenure thereafter should be dependent upon a popular election at which no one would be eligible except those who had already served by appointment.

It is rather a remarkable circumstance, when we are discussing this subject in this state capital of Nebraska, along lines of discussion which originated with this national body, that, of the seven members of the state supreme court, five began their service in that body either as judges or commissioners, by appointment, and, after a period of such service, they were promoted to their present positions by popular election, and that six out of the seven served as district judges before beginning their careers on the higher court. In this respect, therefore, the plan does not propose a serious innovation, nor suggest any important difference in the personnel of our judges, but only aims at an organization which will make for efficiency in method.

What have these suggestions to do with the work of a popular government league? The first casual glance at this plan would suggest the objection that it is taking the judiciary away from the direct control of the people, and therefore is not in accord with the purposes of a popular government league. But just as the reformed government of our municipalities has passed through the commission stage and is rapidly approaching the plan of a general manager, selected by commission, and just as the movement which has been in operation in this country for some years in favor of more direct control by the people over their governmental affairs has led inevitably to the agitation for the Short Ballot as a means by which that control can be made effective, so this plan, proposed for the judiciary, is the inevitable outcome of the agitation for the reorganization of the courts, so that they may carry into effect the popular will and at the same time preserve the fundamental principles of justice.

To enable a chief justice to unify the mere business side of the courts does not mean that he could dictate the decisions in any of the courts. Each judge, after his appointment, would become entirely independent of the chief justice who appointed him. He would thereafter look to the people for his re-election. This would preserve the independence of the judiciary and at the same time make it responsive to the popular will. But it would hold the chief justice responsible for the organization and admin-

istration of the forces provided by law for the dispatch of business. As a detail of this plan it is proposed that the chief justice could be removed from office, not by the cumbersome method of impeachment, but by resolution of the legislature, upon complaint and after due hearing and that any judge in the entire system, other than the chief justice, could be removed by action of a tribunal consisting of, or made up from, all the judges of the supreme and district courts, and that, in addition to such control, the legislature itself could remove any judge in the same manner as the chief justice.

I wish to make one suggestion of a general nature to close this paper. I want to bespeak an open mind and an impartial hearing on the part of the people and the leaders of the people for the proposals which have resulted from the disinterested work of the public-spirited men in the nation who are bending their energies to the solution of this vexed problem of efficiency in the administration of justice. If the people refuse to give a fair hearing to a carefully prepared plan because it runs counter to some existing prejudice, then we shall continue our present inadequate methods of dealing with this delicate and vital function of government and no radical and deep seated reform can be brought about.

On the other hand, if we will give to the consideration of this subject the same candid and open minded attention that we are able to give to other questions, if we can justify Kipling's description of the American as one who turns "a keen, untroubled face straight to the instant need of things," existing difficulties in the administration of justice can be so completely removed that we will come in time to wonder why it was delayed so long.

Politics without Politicians *

Richard S. Childs

POLITICIAN: A citizen who knows what he is doing on election day. He goes to the polls and votes for some twenty-three candidates, all of whom he knows about.

POLITICAL ORGANIZATION: A name given to a series of ceremonies wherein the politician, before election sets the table for

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the electorate by selecting twenty-three candidates and tying them up neatly, like asparagus, in bunches called "tickets."

ELECTORATE: A mob of citizens that goes to the polls before the ball game on election day and, picking out one of the ready-made bunches, casts it into the ballot box. Each citizen thus votes for three men whom he knows about and twenty others he never heard of. Apply it to yourself. Name, please, the county clerk, the state treasurer, the coroner and the alderman you voted for last time; and why you preferred each.

MISREPRESENTATIVE GOVERNMENT: A condition wherein official No. 18, elected as above, is more gratefully obedient to the politician, who graciously tied him up into the victorious bunch, than to the electorate, which went off to the ball game without noticing the eighteenth name on the ticket at all.

DIRECT PRIMARIES: An arrangement that permits the electorate to be present at the bunch-making. An incomplete success for the same reason that the election is an incomplete success, namely, that the electorate never has in mind as many as twenty-three men that it wants.

The class in political science is now dismissed. The class in United States history will assemble.

The Asparagus Voting System

In the first decades of the Republic there were very few elective offices. Candidates came to the front by various methods and campaigned for the votes, and in due time Mr. Citizen went to the polls and wrote down on blank paper, from memory, the two or three names of his selection. Ballot devices varied, but the voting was uniformly from memory. Tickets under such conditions were impossible. Each voter made up his own list in his head as a result of his private opinions. And that is real democracy.

"Jacksonian democracy," with the best of intentions, changed all this sixty years ago. Every state felt that wave of opinion, and only the Federal Constitution, sheltered by difficulty of amendment, escaped change. Had it been more easily altered we would doubtless today be electing not merely president and vice-president, but also the cabinet officers, the judges and clerks of the Supreme Court and the circuit court, the federal district attorneys, marshals and postmasters. In states and cities just such things did happen, and the old free voting, based on indi-

vidual opinion, almost completely vanished, surviving now only in small town elections, where everybody knows everybody else.

It was an easy mistake to make. Granted that the people could, without dangerous confusion, take care of two or three elections in one day, why not increase the number to ten or twenty or thirty, making coroners and judges and county clerks and city auditors elective and "directly responsible to the people?" It was hard to foresee—and millions do not see yet—that increasing the number of simultaneous elections was sufficient to effect a change of principle. The old electorate chose men it knew, either personally or by adequate hearsay—the new electorate chose men it did not know even by name. The change was vast and fundamental. It established a new and difficult condition in which democracy could not operate. It was like lengthening a sword till it became too cumbersome for the soldier to wield, thus practically disarming him. And from that day this nation has actually not had a democratic form of government, but an unworkable, impractical imitation that can only be operated by professionals.

Faced with the problem of electing more men than he could develop opinions about, the average voter shortened his task to more reasonable limits by allowing those other voters who were sufficiently interested, to tie up the candidates for him like stalks of asparagus in the handy little bunches so that he could vote for a whole bunch at once. Unable to examine and select the various stalks in the bunch, the voter judged by the looks of the most prominent stalk and by the character of the men who recommended one bunch as compared with that of the men who recommended other bunches. After a time these bunches, or tickets, habitually wore the names of national parties, although obviously there could not, properly, be a Republican way or a Prohibition way of running the office of state auditor or clerk of the court. As the voter was no longer voting for individual men, but only for bunches, a man who desired to run for public office could hardly hope for success save by applying privately to the men who tied up the most popular bunch. This saved the candidate any embarrassment that he might have suffered if compelled to stand out in conspicuous solitude before the searching scrutiny of the public. In fact, all the small stalks in the bunches could keep still or go to Europe during the campaign or freely admit a record black as ink, and yet be triumphantly

elected. It is even a matter of court record in one great American city that empty names, the figment of a boss's imagination, were elected to minor offices.

Furthermore, minor candidates who did vigorously seek public attention found the voters apathetic. It was not that they did not want the best man to get the little office, but the difference it could make was so trifling that each voter's share of the public interest concerned therein would hardly justify the energy required to study the question. And if, nevertheless, all candidates for all the offices dutifully made a fuss, the Babel would have been too confusing to bring any great or appreciable increase in popular discrimination.

Talk with a citizen of Toronto or Glasgow or Lucerne and he will tell you that the reason for their clean, efficient, scandal-free government is in the superior civic pride of their people, which would never tolerate bossism for a minute. But let him come to this land and assume citizenship, and see what happens.

Twenty-five Elections on One Day

Taking an interest in his new franchise he studies the subject carefully as it is presented to him in the public prints, and undertakes to make up his mind as to whom he wants to vote for. Going to the polls on election day he finds on his ballot the names of the mayor of his choice, the comptroller and, perhaps, one or two other candidates whom he has seen on the public platform. At the most he probably has an intelligent opinion, or an opinion of any kind, concerning four or five of the principal men. He confronts, however, a huge sheet of paper containing perhaps one hundred names arranged in columns about twenty-five deep. As he would express it, there are twenty-five elections on one day. He finds himself invited to choose between Smith, Jones, Williams and Johnson for the office of county clerk. He has given no thought to that office, he knows nothing of the men who are named, and if he should go back to consult his newspaper file he would find that the newspapers had said little or nothing about them. The offices of sheriff, county clerk, supervisor of the poor, public librarian, commissioner of public works, are all evidently being contested for, but he has not had the slightest information as to the relative capabilities of the men, and when, finally, in bewilderment, he casts his vote for

the straight party ticket, he is registering an intelligent opinion on about one-tenth of his ballot; the other nine-tenths he has delegated, by default, to the control of the party boss, and is blindly registering his comparative confidence in the men chosen by one set of party bosses rather than those put forward by the opposing leaders. He votes blindly for the most part, and a man who votes blindly is being bossed.

He is no better than the rest of us, you see. In fact, if this long ballot had appeared in his own home city it is probable that its consequences would have been even worse than here. For we have widespread education, a quick flow of information, unequaled political genius and a civic pride that will stand on its hind legs and paw the air for joy when there is anything to jubilate about.

"But admitting all this," you say, "if our people really do want good government, would they not have made the politicians give it to them? Would they not have rewarded merit in bosses by electing the better bunch each time and thus make them seek to suit their wishes to the utmost, as a tradesman seeks to please a customer?" Exactly so, and there is a limit to misgovernment, a time when we balk at the quality of the goods we are getting, and the boss must keep us content. But there is a counter-tendency downward, in that the boss-tradesman wants his profit, and it is that profit, or graft, that we object to. It would seem that we might find and keep in power bosses who were so public-spirited that they would collect no graft. That does not happen, because the dominant organization in any community is always corrupt. To make a less brutal statement—the dominant organization is the one that gets corrupted. There is no point in corrupting a powerless machine. It is to the party with power that the grafters and self-seekers flock. A club can "repel boarders" and expel rascals that are found inside, but a party is powerless to protect itself against contamination. The Republican party was out of the grip of its founders after its second victory. Let the Prohibition party carry a city election once, and the saloon element would quietly join it and dominate it. Reform parties without number have gone on the rocks because the original reformers could not prevent this internal poisoning. A long-ballot system of government, demanding machines to operate it, cannot, in the long run, elude

control by *corrupt* machines. Political complexity thus, indirectly, invites misgovernment as automatically as dark streets invite crime.

The Work the Boss Does

Yet, under present conditions, we cannot dismiss the machine, for our political system, not being shaped to fit any electorate composed of human beings, would hardly work at all without the mediation of a certain degree of extra-legal boss-organization to supplement its awkwardness. Suppose there were no ticket-making machines, for instance, in Cleveland, Ohio, where the 1908 ballot carried forty-seven offices. Can you picture the great "blanket" changed from the long, ruled columns, with suggestive "straight-ticket" circles at the top, to a non-partisan ballot over whose unlabeled chaos of names the voter must sprinkle his forty-seven separate X marks? Can you imagine any ordinary voter comparing the individual merits of each candidate in each of the forty-seven scrimmages? An election purports to gather opinions, but such an election would do nothing of the sort. It would be like letting the school children vote—the result would represent little or nothing. In big, direct primary elections, where there are not tickets, the boss is often plausible when he argues: "You had at least my judgment under the old convention system—now you have nobody's judgment, for the people do no thinking at all on the majority of the names, and the result is only the outcome of an unjudged, irresponsible scramble for office, frequently participated in by knaves whom I would have excluded."

No, curse the boss all you please, but we are indebted to him for doing the work which the electorate ignores, and thus making our institutions workable.

The standard old remedy prescribed for the national ailment of misrepresentative government is for the electorate public-spiritedly to take firm hold of its electoral work and to learn to make genuine selections from each of the twenty-three sets of candidates; in other words, to become politicians.

That the American electorate has never seen fit to adopt this plan is, possibly, rather fortunate, for if "all good citizens" *did* go into politics, taking an active, constructive part in the selection of all officials, industry prior to each election would suffer wholesale demoralization. Moreover, a citizenship that

devotes itself primarily to earning a livelihood, caring for a family and going to bed o' nights is seeing things in reasonably true perspective when it "hasn't time" to go downtown on a rainy evening to argue regarding the nomination of Jones for county clerk. And, finally, whether it ought or oughtn't, it won't. So that settles it. Human nature has not changed perceptibly since Adam, and a plan of government that involves radical alteration in the consciences of fifteen or twenty million citizens will wait forever for its intended consummation. To berate the electorate for indifference when it fails to fulfill this or that set of demands is as useless and unscientific as berating a horse for failing to grow a square neck to fit a new-style square collar. And as we can't induce the electorate to change its nature to fit the present government, we must reshape the government to fit the electorate, with absolute deference to all the latter's frailties.

Every other democratic nation does it. Consider, for instance, the well-known success of the English cities. Year in, year out, without reform spasms or "civic awakenings," these cities consistently elect their ablest men to office. A glance at an English ballot explains it. The English citizen goes to the polls and records his choice for member of the common council from his ward. The council will elect the mayor, the aldermen, and everybody else in the municipality—the voter has only to fill that one office. The debate between the candidates at such times is carried on with the utmost fierceness. The dead walls are placarded with election posters to the temporary exclusion of other advertising. Both the candidates will make what are known in this country as "whirlwind campaigns" within the limit of their little wards. There is ample opportunity for both candidates to get their opinions and arguments to every voter, and the voter soon knows which he wants as clearly as an American voter does in choosing between the two candidates for president. Conspicuous merit becomes a vital asset to the candidate when the voters' examination is so minutely searching. There are no party machines, no tickets, no politicians, in our American sense of the words. The candidate simply gets himself nominated by petition and goes after the votes. He has no one to thank for his election but the people, with whom he conducts his negotiations direct. He does not need to persuade a boss to tie him up in a bunch, for there are no other stalks to make up a bunch with. A professional politician would find

nothing to be professional in, for every citizen is as complete an expert in politics as he.

The Short Ballot in Galveston

A similar condition obtains in every other foreign democracy and results in a correspondingly higher moral standard of government without the aid or interference of machines. In the United States, on the contrary, the long ballot is universal, with one new bright and widening rift in the clouds. The city of Galveston, in 1900, adopted a plan of government by a commission of five as an emergency measure to get quick municipal action. Unwittingly, I think, it stumbled into a short ballot and proceeded to reap the advantages of it. This commission has, without scandal, carried through tremendous public improvements—raising the ground level to prevent another flood—and at the same time has reduced the public debt and the tax rate. That is good administration. More than that, it gets re-elected by overwhelming majorities and has not been in peril at any election. The "old crowd" that misgoverned this city for years holds only twenty per cent of the vote now, and concedes without contest the re-election of three of the five good commissioners. And the total campaign expenses of electing the right men are only three hundred and fifty dollars.

It has been widely said that this was the fruit of correct organization analogous to a business corporation with its board of directors. But there are many other elected commissions and boards in the United States—county commissions, boards of education, trustees of the sanitary district, boards of assessors, and they are not conspicuously successful. In fact, such organization often serves to scatter responsibility and shelter corruption.

Galveston's plan, in fact, was far from ideal, but it had one overwhelming merit—that it concentrated the attention of the voters sharply upon candidates for only five offices, all important enough to warrant such attention. The press could give adequate space to every one; in consequence every intelligent voter in his easy chair at home formed opinions on the whole five and had a definite notion of the personality of every candidate. In such a situation the ward politician had no function. There was no ignorant *laissez-faire*, no mesh of detail for him to trade upon. He became no more powerful than any other citizen, and

his only strength lay in whatever genuine leadership he possessed. Moreover, if he nominated men who could stand the fierce limelight and get elected, they would, *ipso facto*, probably be men who would resist his attempt to control them afterward. Or if they did cater to him it would be difficult to do his bidding right in the concentrated glare of publicity, where the responsibility could be and, what is much more vital, would be correctly placed by every voter. And so the profession of politics went out of existence in Galveston, and the ward politician, who had misgoverned the city for generations, went snarling away to play with county and state offices.

Fifty cities have copied the Galveston plan. Des Moines improved it by making the ballot non-partisan, because a voter can recognize and select the five names for himself without the help of a party label. The bunches of candidates are thus definitely abolished, and the influence of the bunch-maker over the official vanishes.

Boston is the first major city to reach a Short Ballot basis. The plan creates a council of nine members elected at large, three at a time, and a mayor, all on a non-partisan ballot. There is also a small elective school committee. After the first year the maximum number of offices filled at one election is six, the minimum four.

The Colorado Springs Plan

And, finally, take off your hat to Colorado Springs, for that hustling little city has gone them all one better. Her new commission rotates, so that two members are elected at one election and the three others at the next. This is the shortest ballot in the country. It is non-partisan, of course. What a joke it would be for politicians to tie together two nominees and try to inspire loyalty for this on the ground that it was a straight ticket! And each candidate must file an affidavit swearing that he represents no political party or organization—just himself and his prospective constituents. Not content with making the machine unnecessary, they have made it illegal!

The charter permits municipal ownership and operation of public utilities—street railways or lighting systems, for instance—a power we don't dare intrust to the authorities in other cities. But in Colorado Springs the people have a form of government so simple that they can watch it and understand it and control

it. No rascal can sneak into power through the blaze of scrutiny that they can, and surely will, center on him at election time. Light is as necessary and as salutary in politics as in hygiene.

Victory in cities, however, is not enough; the county and the state remain. In Texas, for instance, the people have recovered all the cities from the grasp of the politicians and put them on the Short Ballot basis, through government by commissions of five, but the professional politicians thrive yet. There is some talk of chasing them out of the state by putting the whole state government into the hands of a similar small commission. It is to be hoped that this movement will fail, and that the short ballot will be obtained by shortening the list of elective offices simply to the legislature and governor, the latter to appoint his own cabinet and all other administrative and judicial officers, just as the president of the United States appoints his.

Oregon has grasped the principle, and the same forces that installed the initiative and recall are at work to centralize authority and lengthen terms so that, instead of choosing a maximum of thirty-nine officials at one election, the individual elector will choose only from five to eight.

Oh, yes, I heard that observation from over there in the corner and I was expecting it. You asked: "Isn't it dangerously near to autocracy to centralize the government so that the voter chooses only two or three men at a time?" No; on the contrary, it is ideally democratic. Carrying out this principle is the only practical way that the big, clumsy electorate can rule. It is, therefore, the only plan that is democratic!

The more elaborate and complex you make politics the fewer the people who can afford the time and energy to take part. Much electing, therefore, leads toward oligarchy—the rule of the few.

The simpler you make politics the more easily and the more surely will the whole people take part. Simplification, therefore, leads toward the rule of the many—democracy.

Universities are now teaching the new definition of democracy, and the old error, that making officials elective is enough to make them responsible to the people, will die. Some day we shall see the people of a whole state in control of their government, using short ballots for county and state elections as well as municipal, voting for men instead of labels, and regis-

tering complete and definite individual opinions with practically every paper that drops into the ballot-boxes. Notice that, in this situation, the citizens are all complete politicians, doing all that is asked of them—since less is asked. The electorate has not gone into politics, but politics has come to the electorate. Officials will no longer be in debt, politically, to some politician for cording them up into his precious ticket-bunches. The officials will negotiate directly with the people for their election and seek for the applause of the people—their only masters—in the conduct of their offices.

In the long run efficient and clean administration will be the normal resultant of that new balance of forces. For the American people—you and I—do want good government. And we shall have it yet!

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Short Ballot; a Movement to Simplify Politics.

Richard S. Childs

Do you know that ours is the only habitually misgoverned democracy? Other democracies, Canada and the English, French, and German cities, are generally well governed, many of them splendidly governed. Their councils and legislatures stay clean automatically, without need for public uprisings to clean them out. True, they sometimes suffer from graft, but it is local, haphazard, and unorganized, like graft in business life. But with us misgovernment is universal and ever present. Every state and every city is constantly at war with it. The brand-new city of Gary begins to grapple with it as soon as there is an election. And the success of the forces of righteousness is always temporary, like sweeping back flooding water with a broom. We say truly, "A reform administration is never re-elected." Good administration is actually abnormal in American cities and states. Maladministration is the normal.

This condition, unique among democracies, indicates the existence of some peculiarity in our system of government as the underlying cause.

Starting at the broad base of our structure, the voters, we notice one unique phenomenon which is so familiar to us that

we usually overlook it entirely—that is, our habit of voting blindly. Of course, intelligent citizens do not vote without knowing what they are doing. Oh, no! You, Mr. Reader, for instance, you vote intelligently always! Of course you do! But for whom did you vote for surrogate last time? You don't know? Well, then, whom did you support for state auditor? For state treasurer? For clerk of the court? For supreme court judge? And who is your alderman? Who represents your district at the state capitol? Name, please, *all* the candidates you voted for at the last election. Of course you know the president and the governor and the mayor, but there was a long list of minor officers besides. Unless you are active in politics I fear you flunk this examination. If your ballot had by a printer's error omitted the "state comptroller" entirely, you would probably not have missed it. You ignored nine-tenths of your ballot, voting for those you did know about and casting a straight party ticket for the rest, not because of party loyalty, but because you did not know of anything better to do. You need not feel ashamed of it. Your neighbors all did the same; *my* neighbors did (observe the little census reproduced here!). Ex-President Eliot, of Harvard, the "ideal citizen," confessed in a public address recently that he did it too. Philadelphia has even elected imaginary men. It is a typical and universal American attitude. We all vote blindly. The intelligence of the community is not at work on any of the minor offices on the ballot. The average American citizen never casts a completely intelligent vote.

CONFIDENTIAL CENSUS.¹

Do you know the name of the new state treasurer just elected? .87% said No
 Do you know the name of the present state treasurer?75% said No
 Do you know the name of the new state assemblyman for this
 district?70% said No
 Do you know the name of the defeated candidate for assembly-
 man in this district?80% said No
 Do you know the name of the surrogate of this county?65% said No
 Do you know the name of your alderman?85% said No
 Do you know whether your alderman was one of those who
 voted against the increase in the police force last year?98% said No
 Are you in active politics?96% said No

This is not all the fault of the voter. To cast a really intelligent ballot from a mere study of newspapers, campaign litera-

¹ The intelligence (?) of the vote in the most independent assembly district in Brooklyn. Data collected immediately after election, 1908.

ture and speeches is impossible, because practically nothing is ever published about the minor candidates.

The gossip around the local headquarters being too one-sided to be trusted by a casual inquirer, a deep working personal acquaintance with politics, involving years of experience and study, becomes necessary before a voter who wants to cast a wholly intelligent ballot can obtain the facts.

This is not the fault of the press. In New York City the number of elective offices in state, city, and county to be filled by popular vote in a cycle of four years is nearly five hundred. In Chicago the number is still greater. Philadelphia, although smaller than either city, elects more people than either. No newspaper can give publicity to so many candidates or examine properly into their relative merits.

Plainly the voter is overburdened with more questions than he will answer carefully, for it is certain that the average citizen cannot afford the time to fulfill the unreasonable requirements that are now essential to intelligent voting. The voters at the polls are the foundation of a democracy, and the universal and incurable habit of voting blindly constitutes a huge break in that foundation which is serious enough to account for the toppling of the whole structure.

Let us see, then, if we can trace out a connection between blind voting as a cause and misgovernment as the effect.

No one will deny that if nine-tenths of the citizens refrained from voting on election day, the remaining tenth would govern all. And when practically all vote in nine-tenths ignorance and indifference, about the same delegation of power occurs. A remaining fraction who do give enough time to the subject to cast an intelligent ballot take control. That fraction we call "politicians" in our unique American sense of the word. A politician is a "political specialist." He is one who knows more about the voter's political business than the voter does. He knows, for instance, that the coroner's term will expire in November, and he contributes toward the discussion involved in nominating a successor, whereas the voter hardly knows a coroner is being elected. These politicians come from all classes, and the higher intelligence of the community contributes its full quota. Although they are only a fraction of the electorate, they are a fair average selection, and they would give us exactly the kind of government we all want, if only they could remain free

and independent personal units. But the impulse to organize is irresistible. Convenience and efficiency require it, and the "organization" springs up and cements them together. Good men who see the organization go wrong on a nomination continue to stay in and to lend their strength, not bolting until moral conditions become intolerable. Were these men not bound by an organization with its social and other non-political ties, their revolt would be early, easy, and effective, and every bad nomination would receive its separate and proportionate punishment in the alienation of supporters.

The control of such active political organizations will gravitate always toward a low level. The doors must be open to every voter—examination of his civic spirit is impossible—and greed and altruism enter together. Greed has most to gain in a factional dispute, and is least scrupulous in choice of methods. The bad politician carries more weapons than the politician who hampers himself with a code of ethics one degree higher. Consequently corruption finally dominates any machine that is worth dominating, and sinks it lower and lower as worse men displace better, until the limit of public toleration is reached and the machine receives a setback at election. That causes its members to clean up, discredit the men who went too far, and restore a standard high enough to win—which standard immediately begins to sag again, by the operation of the same natural principle.

Reformers in a near-sighted way are constantly endeavoring to maintain pure political organizations and re-elect reform administrations. Suppose, however, that the Citizens' Union of New York, which is at present sincerely bent on improving the condition of politics, should succeed in carrying the city for its tickets several times in succession. After the first election, small political organizations which had aided toward the victory would rush in, clamoring for their share of the plunder. For a term or two the reformers might be able to resist the pressure. Nevertheless the possession of power by their party would attract the grafters;¹ they would find themselves accepting assistance from men who were in politics for what there was in it, men who wanted to make more use of the power and patronage that lay at hand unutilized; and those men would in time, working within

¹ Mr. Cutting, the former head of the Union, announced in anticipation of the 1909 municipal election that the Union did not desire a big enrollment, on account of the inevitable contamination it involved.

the union, depose the original heads of the party and substitute "more practical" leaders, until in time the Citizens' Union would itself need reforming.¹

Theoretically there is always the threat of the minority party which stands ready to take advantage of every lapse; but as there is no debate between minor candidates, no adequate public scrutiny or comparison of personalities, the minority party gets no credit for a superior nomination, and often finds that it can more hopefully afford to cater to its own lowest elements. In fact, it may be only the dominant party which can venture to affront the lowest elements of its membership and nominate the better candidate.

The essence of our complaint against our government is that it represents these easily contaminated political organizations instead of the citizens. Naturally! When practically none but the politicians in his district are aware of his actions or even of his existence, the office-holder who refuses to bow to their will is committing political suicide.

Sometimes the interests of the politician and the people are parallel, but sometimes they are not, and the office-holder is apt to diverge along the path of politics. An appointment is made, partly at least, to strengthen the party, since the appointee has a certain following. A bill is considered, not on its simple merits, but on the issue, "Who is behind it?" "If it is Boss Smith, of Green County, that wants it, whatever his reasons, we must placate him or risk disaffection in that district." So appointments and measures lose their original and proper significance and become mere pawns in a chess game of politics which aims to keep "our side" on top. The office-holders themselves may be upright, bribe-proof men—they usually are, in fact. But their failure to disregard all exigencies of party politics constitutes misrepresentative government, and Boss Smith, of Green County, can privately sell his influence if he chooses, whereby the public is in the end a heavy sufferer.

By the way, every factor in this sequence is a unique American phenomenon! The long ballot with its variegated list of trivial offices is to be seen nowhere but in the United States. The English ballot never covers more than three offices, usually only one. In Canada the ballot is less commonly limited to a

¹ This was exactly what happened to Tammany Hall, which was clean at the beginning.

single office, but the number is never large, and includes only offices that are of such importance as to attract close scrutiny by the public. To any Englishman or Canadian our long ballot is astonishing and our blind voting appalling. The politicians as a professional class, separate from popular leaders or office-holders, are unknown in other lands, and the very word "politician" has a special meaning of reproach in this country which foreigners do not attach to it. And government of a democracy from behind the scenes by politicians, in endless opposition to government by public opinion, is the final unique American phenomenon in the long ballot's train of consequences.

The blind vote of course does not take in the whole ballot. Certain conspicuous offices engage the attention of all of us. We go to hear the speeches of the candidates for conspicuous offices; those speeches are printed in the daily papers and reviewed in the weeklies; the candidates are the theme of editorials and we need take no part in politics to be able to vote with knowledge on certain important issues. We would laugh at an attempt to control our vote on any of these questions where we have opinions of our own. With this independent intelligence always at work upon the major nominations, we secure a higher normal level of conditions. Aldermen we elect who do not represent us, and state legislatures which obey the influences of unseen powers, but we are apt to speak effectively when it comes to the choice of a conspicuous officer like a president, a governor, or a mayor. For mayor, governor, or president we are sure to secure a presentable figure, always honest and frequently an able and independent champion of the people against the very political interests that nominated him. We are apt to re-elect such men, and the way we sweep aside hostile politicians where the issue is clear shows how powerfully the tide of our American spirit sets toward good government when the intelligence of the community finds a channel—witness Roosevelt, Taft, Hughes, Deneen, Folk, and a host of mayors.

Sometimes there is rank misgovernment in a conspicuous office, as when Van Wyck ruled New York City. But, as is rather usual at such times, a reform wave followed, and his party was punished by a defeat at the polls. Since then Tammany has temporarily conceded the conspicuous offices to the people, nominating thereto men of independent character, and even accepting two who had already been nominated by the reformers.

It has been content with graft from borough presidents, the aldermen, and its friends in the lower grades of the departments.

Misgovernment is secure only in the minor offices, in the shadowy places where the spot-light of publicity rarely wanders. When the rats venture out of these obscurities into the blazing light, it is to nibble the cake cautiously, and always with timid eyes upon that dread giant, the public, ready to scamper if he stirs. If, growing confident from long immunity, they become too bold and noisy, punishment, clumsy but heavy, suddenly swoops upon them.

And so in those conspicuous offices—those on which we do *not* vote blindly—we secure fairly good government as a normal condition, considering that the organized and skillful opposition which always faces us occupies a position of great strategic advantage in possession of the nominating machinery.

To reduce this idea to a working rule:

In an obscure contest on the blind end of the ballot, merit has little political value; but in the conspicuous contests, where we actually compare man and man, superior merit in a nominee is a definite political asset. Hence, in the case of an obscure nomination, the tendency is automatically downward; but in a conspicuous nomination (where all the voting is intelligent) the tendency is upward.

We cannot hope to raise the political intelligence of our citizenship to a level where it will scrutinize the long ballot and cease to vote blindly on most of it. The mountain will not come to Mahomet; Mahomet then must go to the mountain. We must *shorten the ballot* to a point where the average man will vote intelligently without giving to politics more attention than he does at present. That means making it very short, for if it exceeds by even a little the retentive capacity of the average voter's memory, the "political specialist" is created. A voter could remember the relative merits of probably about five sets of candidates, and could keep that many separate contests clear in his mind, but he would probably begin to vote blindly on more than five. Also we must take all unimportant offices off the ballot, since the electorate will not bother with such trifles whether the ballot be short or not. Why, indeed, should fifty thousand voters all be asked to pause for even a few minutes apiece to study the relative qualifications of Smith and Jones

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for the petty post of county surveyor? An intelligent citizen may properly have bigger business!

To be pictorial, let us see how a revised schedule of elections might look if we put into the realm of appointive offices as many as possible of those which we now ignore. All county offices, many city positions, and the tail of the state ticket would thus be disposed of, and the ballots might look somewhat like this (New York state titles):

First Year.	Second Year.	Third Year.	Fourth Year.
President and Vice-President (four years)	Governor (four years)	Congressman (two years)	State Senator (four years)
Congressman (two years)	State Assemblyman (two years)	Mayor (four years)	State Assemblyman (two years)
City Councilman (two years)		City Councilman (two years)	

This is merely organizing the state and city as simply as the federal government. There is endless room for discussion on the details, and many other arrangements could be devised. This schedule provides for every office which must be kept within the realm of politics. It provides short ballots which every man would vote intelligently without calling on a political specialist to come and guide his pencil.

On such a Short Ballot basis the entry of our best men into public life becomes possible. To-day the retired business man, for instance, who is willing to devote his trained mind and proven executive ability to the service of his city finds it difficult to enter public life even as a humble alderman. He cannot win as an independent, for the voters do not distinguish his voice in the political hubbub. He must get his name on the ticket of the dominant party, which can elect him regardless of whether he makes a fierce campaign or remains silent on every issue. In seeking this nomination, direct primaries will help him a little, but in the confusion attending the making of nominations for a multitude of offices he is again unable to attract much attention, and the "machine," swinging its solid blocks of well-drilled voters to the support of some loyal old-time pillar of the "organization," is likely to defeat him despite his manifest superiority of character. His only hopeful resort is to go down into the unfamiliar and uncongenial shaded underworld of ward politics, kowtow to district leaders and captains whose social and business standing is perhaps inferior to his own, and satisfy their queries, "What have you done for the party?" and "What

will you do for us?" Such procedure being at least distasteful and probably stultifying, his activities turn toward philanthropies and recreations. The city has thus refused his proffered services, has turned away the man who considered the office as an opening for civic usefulness in favor of one who probably wanted it as a good job.

But if he be conspicuous as an important and almost solitary figure before his prospective constituents, such a candidate can easily get a satisfactory hearing, and his superior merit will be an all-important asset to him. In such a simple situation the "ward politician" has no function. Every ordinary voter is a complete politician too. The party bosslet who prates of "regularity" will find the voter replying with facts regarding the personality and principles of the candidate, and the discussion shifts to a new level. If the politician can win over the voter on that level, well and good. That is leadership, not bossism, and is unobjectionable.

After such an election this conspicuousness will continue, encouraging good behavior in office. The legislator will fear public indignation because his constituents, damning a measure, will also damn him specifically for his part in it. Likewise, if deserving, he can get popular support over the heads of any political coterie whom he ventures to disobey.

Good government is entirely a matter of getting the right men elected. Nothing else is so vital. No city charter or state constitution, however ingenious, will make bad men give good government or keep good men from getting good results.

To get the right men is first of all a matter of arranging for the maximum amount of concentrated public scrutiny at the election. It is not superior intelligence in the British electorate that enables it uniformly to elect the best men in town to the city councils, save in that the individual voter in the ward selects only a single officer at election, and can hardly fail to know just what he is doing. Likewise there cannot be a mysterious virtue in the new plan of governing American cities by small commissions (the success of which in Galveston, Houston, and Des Moines is undeniable) save in that the importance and conspicuousness of the five commissionerships attract so fierce a limelight at election that no unworthy figure who ventures into that blazing circle can hope to conceal his unworthiness from the eyes of even the most careless voter.

The Galveston plan would be better yet if the commissioners were elected one at a time for long terms in rotation. Then public scrutiny at election would focus still more searchingly on the candidates, and merit would increase still further in value as a political asset.

We must manage somehow to get our eggs into a few baskets—the baskets that we watch! For remember that we are not governed by public opinion, but by *public opinion as expressed through the pencil point of the average voter in his election booth*. And that may be a vastly different thing! Public opinion can only work in broad masses, clumsily. To make a multitude of delicate decisions is beyond its coarse powers. It can't play the tune it has in mind upon our close-stringed political harp, but give it a broad keyboard simple enough for its huge slow hands, and it will thump out the right notes with precision!

There is nothing the matter with Americans. We are by far the most intelligent electorate in the world. We are not indifferent. We do want good government. And we can win back our final freedom on a "Short Ballot" basis!

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What a Democracy Would Be Like. Richard S. Childs

Would you know a democracy if you met one?

Yes?

How? You've probably never seen one.

Thought you lived in one? Oh, dear, no! The states and counties and cities of this country are not democracies; they are oligarchies—instances of government by a ruling class!

We call this ruling class the "politicians." All citizens by due devotion *can* become politicians, but the bulk of them *don't*; so a certain remainder is left in control, and, whatever it might be or ought to be, the government *is*—an oligarchy. The fact that it was intended to work differently is a mere detail of history. If in its actual working it is not a democracy, it is not a democracy.

Now we could make it a democracy and prevent a self-established crew of political experts from ruling us "if all good citizens would go into politics." But if they don't, what will you do?

Preach to them? Arouse them?

All right. But what if, even then, their normal activity and interest prove insufficient to make them the equals of the politicians in political effectiveness? What if the politicians can dance circles around the big, clumsy people even when the people *are* aroused?

Preach harder? No.

Consider that there is nothing divine about the origin of the political work that is laid out for the citizens to do. If the citizens neglect some of that work, the work may easily be simplified and made lighter. There is surely such a thing as a limit to the amount of work that can properly be demanded of the citizens, and perhaps that limit has been exceeded. Certainly it is going to be set by the people themselves, regardless of your opinion, or mine, or the opinion of the ponderous lawyers in the state constitutional convention who lay out work for the people.

If we ask the people to give their thoughtful attention to the selection of a coroner every two years, the people may graciously consent to bother, and they may not. And if they languidly vote a straight party ticket without even looking to see who is running for coroner, thereby letting a Republican or Democratic group of politicians have their own way, the people have silently notified you and me and all future constitutional conventions that, for some reason satisfactory to themselves, they decline to assume the "duty" of selecting coroners.

And that settles it. What the people say, goes.

Our American people have done just this. They have said: "We prefer honest, able coroners, but we won't fight to get them—we have more important things to do." They have said: "We want good officials, but when we have to elect twenty of them at once we won't learn all about all of them. We'll give attention to the most interesting and important ones, but for the rest we'll vote any handy list fixed up for us by the specialists in citizenship."

And the people are right. Offices can be made so microscopically small that it is too difficult for the people to watch them in a busy world. Ballots can be made so long that no citizenship in Christendom could reasonably be expected to master them.

So there has arisen in America the new "Short Ballot" school

of reformers, whose slogan is: "The long ballot is the politician's ballot; the Short Ballot is the people's ballot." The Short Ballot Organization was founded two years ago in New York by Woodrow Wilson, and it has been creating a quiet revolution in civic circles ever since. Active local work is under way in Oregon, California, Ohio, and New York.

The major premise of this new school is that the people are all right—not substantially different from the people of other lands—and that it is our utterly freakish plan of government that is at fault.

For our plan of government *is* freakish. Show an Englishman, for instance, one of our New York ballots and he will exclaim with horror: "Why, you're electing twenty officers at one time! That's absurd! How can you possibly vote intelligently for so many?"

In England they rarely attempt to fill even two elective offices on one day.

When I show an Ohio ballot, with its forty-six offices and two hundred candidates, to New York audiences, it always brings a roar of laughter. Because it is so much longer than their own, it seems ridiculous, and they readily accept the doctrine that such a ballot baffles popular control and is contrived for effective use only by experts, not by the people. But the New York ballot is just about as unusable as the big Ohio ballot. It, also, contains too many offices, and offices that are too small to secure natural public scrutiny.

The Englishman is right, and his simple procedure is far more democratic than our complicated machinery, which only a few of the people, the experts in citizenship, can operate. The English cities are complete democracies. There are a king and some lords in England, but there is nothing in English local governments that they can touch. The English cities have more elective offices than our cities, as a rule. But all the elective officers sit together as one large council or board of directors and execute their decrees through their own appointees.

They are usually elected three from each ward for three-year terms, and they come up for re-election one each year. And the British voter, having the simple task of choosing one man out of two or three candidates in his compact ward, does his little task easily and well, without the assistance of such experts in citizenship as our "ward politicians." In other democracies—

Switzerland, New Zealand—there is the same simplicity and effectiveness.

We have a prejudice in this country against ward-elected aldermen, but the trouble lies in the pettiness and insignificance of the job rather than the pettiness of the ward. If our ward aldermen were the "head of the ticket," the whole ticket in fact, and if he were to be one of the supreme board of directors of the city, we busy citizens would know about him just as we know about the mayor now. And, like the mayor, he would be a clear target for the active criticism of every voter.

Our citizenship could operate the simple English Short Ballot mechanism with one hand, and with eyes shut, and make as excellent a job of self-government as the Englishman does. Our relative success with commission government proves this. Given the task of selecting and dominating five conspicuous officials instead of a raft of obscure and irresponsible ones, American citizens have been getting results. Commission government is far from a perfect plan, and it only marks a transition toward better things, but it has that vital Short Ballot and is accordingly the first instance of practical democratic government we have had in our cities for half a century. The commission government cities, or "Short Ballot cities," as political scientists term them, provide an election schedule which asks of the people no more work than they are willing to perform. And behold—we suddenly have a people who don't need a "civic awakening."

Our national government has a Short Ballot—only three men to be selected by any one citizen. The same unification and simplicity in states and counties would mow down a whole jungle of obscurity and confusion wherein much graft finds shelter.

All the complex devices by which we try to control our unhandy governments—caucuses, political clubs, committees, primaries, conventions, machines, and bosses—are necessitated by the fact that our ballots are too long. The ballot on election day is an ample remedy for everything if it's a usable kind of ballot! The way to keep the wrong men out of control is to refrain from electing them. The way to refrain from electing them is to have a Short Ballot with every elective office so conspicuously important that we can't help getting a good unobscured look at every candidate before we vote for him.

And that is the road to a democracy that will "democ."

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Constitution and Public Opinion. Frederic C. Howe

Is it possible to formulate principles in the framing of a constitution, in the planning of the political machinery of a people? Is it possible to lay down axioms of politics, like those which Adam Smith enunciated for taxation? And if such axioms may be formulated, are those upon which we have been operating for a century the correct ones? Should public opinion be compelled to square itself with the opinions and phrases of generations long since dead; should the opinion of today be called upon to convince in turn varying groups of elective officials and appointive ones as well? Should every presumption be against change, and in favor of the status quo? Should the common business of all of us be conducted on the principle of inaction, and the private business of each of us be granted a liberty of action close to license? For the principle underlying American industrial life is freedom,—the greatest possible freedom to organize, to act, to play, not only with property, but with the destinies of the community as well.

I believe there are axioms of politics as fundamental as those of taxation, as fundamental as those of private business. Among those axioms, I should include the following:

1. Politics should be simple and easily understood by all. Issues should be free from confusion. There should be a direct line of vision between the voter and the end desired, and a means for the immediate execution of the common will, once it is declared at the polls.

2. The relation of the voter to the government should be as direct as possible. There should be the fewest possible intermediaries, such as electoral colleges, delegates, conventions, and caucuses between the citizen and his servant.

3. Government should be responsive on the one hand and responsible on the other,—not to the past, not to political parties, not to interests, but to people.

4. The machinery of legislation and administration should be equally simple, direct and final in its action. Once the public will express itself, it should be registered into law.

Principles to Be Considered in Framing New York Constitution

Reducing these political axioms to the subject in hand, that is, the constitution and public opinion, I should suggest:

First.—The constitution should be as short as possible, following the model of the federal constitution, which is little more than an enumeration of the powers of the various branches of the government, to which was added the bill of rights. State constitutions departed from this model. They have been enlarged to indefensible lengths, and by reason of enlargement and the inclusion of many legislative provisions, the underlying idea of a constitution as a framework of government has been lost sight of.

Constitution an Evolving Instrument

Second.—The constitution should be an evolving instrument, not an inflexible, finished thing, complete in all its details for a generation, or as in the states of Kentucky, Indiana, Rhode Island and Connecticut, practically unchangeable for all time.

The constitution should reflect changing social conditions and changing needs. It should mirror the seasoned convictions of the nation, rather than lag many years behind them. It should have more permanence than a legislative act, and amendments should be approved by the people. But it should not be necessary for two successive legislatures to approve of a resolution permitting an amendment to be voted upon, and the majority within the legislature for submission ought not to be prohibitive. It should provide that a two-thirds majority of any general assembly, or a mere majority of two successive assemblies, may submit an amending resolution. Further than this, provision should be made for amendment by the direct action of the people themselves, acting through petitions submitted for this purpose. If five or eight per cent of the electors of a state like New York are sufficiently exercised over a condition to go to the trouble and expense of preparing petitions, then their petition should be given a hearing by being placed upon the ballot, the same as a resolution regularly submitted by the legislature; and if a majority of those voting upon the proposal favor it, it should become a part of the organic law of the state. This is the very essence of the right of petition, sanctioned in every constitution, for the right of petition is empty unless it can be made effective. It is also of the essence of responsive

and responsible government, as well as of the idea of an evolving, changing constitution, reflecting the seasoned opinions of the community. It is unfair to a people to require it to accept for a generation's time the deliberations of a group of representatives, whose opinions can be known only after they have deliberated, without power to escape from their opinions by any action which the people themselves may take. This is not representative government; it is government by chance.

Separate Submission of Debated Questions

Third—In keeping with the above suggestions, amendments to the constitution, involving radical departures like woman suffrage, prohibition, the initiative, referendum and recall, should be submitted as separate proposals for the discriminating action of the voter. Alterations in the fundamental laws such as these should not be incorporated into the body of the constitution when submitted, but should at all times and under all circumstances be open to unincumbered action by the electorate. The Ohio constitution of 1912 contained many separate and detached amendments, placed before the people in separate columns, upon which the electors passed individual judgment. About one-half of these proposals were adopted, and the other half were rejected, showing a more highly developed political intelligence than the electorate is generally assumed to possess.

Commission Government for State

Fourth—In keeping with the idea of simplicity and efficiency, the commission form of government should be substituted for that which now prevails. The legislature should consist of a single chamber of a relatively small size. A legislative body composed of one representative from each congressional district would be adequate for all purposes. It should be in continued session all the year, as is the Congress of the United States. Surely, if the needs of the smallest town require the attention of its council for twelve months in the year, the legislative body of a commonwealth of 10,000,000 people, more than three times the population of the United States when the constitution was adopted, requires the same continuous legislative service.

The commonest complaint of our assemblies is that they pass too many laws and too hasty legislation. Much of this is

due to the size of the legislature. Each member feels that at least one measure must bear his name. As a consequence, state laws command little respect, and for the most part are entitled to no more respect than they receive. A small legislative body in continuous session, acting with the informality of a city commission, would result in more mature deliberation, more intelligent action, and a great decrease in the number of ill-adjusted laws which issue from our state legislatures, even when they are in session for but a few months in the year.

In addition, I should suggest that the governor should appoint the members of his cabinet, including the attorney-general, the secretary of state and the executive heads of other departments. The governor and each member of the cabinet should have a seat in the legislature, with the right to discuss all measures, but not to vote. This is a provision now found in many city charters; it has resulted in greater unity of action and increased municipal efficiency.

This is perhaps as near an approach as is possible to the British idea of responsible cabinet government. It should tend to bring into politics a more highly trained type of man, as well as greater unity in the administration of public affairs. In connection with this, I would entrust the governor with the appointment and easy removal of the directors of all executive departments, whose relations to the governor should be somewhat similar to those of the department heads in a great city.

Short Ballot

Fifth—The Short Ballot. The commission form of government would lead to the Short Ballot. It would reduce the number of elective officials to the governor and the members of the state assembly. This would simplify elections, and automatically make it possible to select a higher type of man than those who now go to the assembly. Further than this, it would lure better men into politics, for the opportunities of real service offered would prove attractive to the best equipped men in the community.

In addition, I favor longer terms of office for the governor and the members of the assembly. I should suggest a term of four years, with the right of recall. By this means the official would always be responsible to his constituents, while a con-

tinuing policy, covering a reasonable period of time, would be open to achievement by an administration.

Right of Judicial Review

Sixth—I have never believed that the federal constitution contemplated the power of judicial review of congressional or executive acts. The constitutional provisions seized on by the courts to justify their interposition are entirely inadequate to sanction such assumption. The recently adopted constitution of Ohio recognized this protest against judicial usurpation and provided that no act of the legislature should be held to be unconstitutional by the supreme court, except when such decision was concurred in by six out of seven members of the highest appellate tribunal.

Complete Municipal Autonomy

Seventh—Complete home rule should be accorded municipalities. They should be permitted to prepare their own charters; to determine for themselves what activities they shall perform; what industries and activities they shall engage in; what salaries they shall pay, and what powers they shall exercise over persons and property within their midst, subject only to the constitutional safeguards. Municipalities should have the same freedom to experiment that a private corporation now enjoys; they should be permitted to decide for themselves as to the sources from which they shall collect their revenues and as to the way in which they shall spend them. The amount of their bonded indebtedness should be determined by the community itself, as well as the purposes for which such indebtedness is incurred. Cities should have the same autonomy now enjoyed by the state and the nation. Within their own sphere of action they should be sovereign, much as are the cities of Germany and some of the cities in our western states.

Such a devolution of power would relieve the legislature from the burden of considering local demands and would render it possible for the city itself to develop its own life and adjust its administration to local needs, as is not now possible when the financial limitations of a municipality are fixed and determined by the constitution and state laws, and are necessarily unresponsive to local necessities.

Direct Legislation

Eighth—Adequate responsiveness to public opinion involves provision for direct legislative action by the people themselves, through the initiative and referendum; and of these two devices the initiative is by far the more important. The referendum is negative. It usually relates to questions in which the people have no great interest. And the failure of large numbers of people to vote upon referendum measures is no index of the response which would follow to measures initiated by the people themselves. The initiative is the final step in democracy; it involves a government which mirrors public opinion. That it is not likely to be used for radical purposes is indicated by the experience of western states, as well as of Ohio, where the presumption of the unenlightened voter is against a new measure rather than in favor of it. But most important of all is the educative influence of referendum elections on measures initiated by the people themselves. They lead to constant discussion, to a deeper interest in government, and to a psychological conviction that a government is in effect the people themselves. And this is the greatest gain of all. It has been said that the jury is the training school of democracy. To an even greater extent is this true of the initiative and referendum.

Political Freedom—a Principle

The underlying motive of the foregoing philosophy is fluidity, responsiveness, freedom; freedom of society, in its collective capacity, to develop its own political life; freedom to evolve, to grow by change, just as does the individual, just as does the whole animal and even the vegetable kingdom. And I have no more fear of mankind in its collective capacity than I have of mankind in its individual capacity. And if there is any quality which stamps American life, American character, American industry, it is freedom. Freedom explains our achievements, it explains our industrial development. It explains the ingenuity, resourcefulness and courage of the nation. And freedom is, I believe, the law of all nature—a law as immutable in its ultimate blessings as any that nature sanctions,—not the patchwork freedom with which we are familiar, the freedom that gives privileges to some and burdens to others; not the freedom which fails to distinguish between that which is essen-

tially public and that which is essentially private; not the freedom which grants license to the individual and chains to the community; but the freedom of each man to live his individual life, so long as he does not interfere with the equal freedom of his fellows and the right of the community to live its life and control the individual, so that he will not exceed the freedom vouchsafed to him.

Finally, these are the principles I would apply to government affairs. Politics should be simple rather than confused. Officials should be responsive, not irresponsible. There should be an end of checks and balances. There should be a direct vision between the citizen and his servant, and easy means for the community to achieve its will, and an equally easy means to change its decisions when it finds itself in error. In fine, I believe that government should be responsive to public opinion and free to reflect that opinion in legislation when expressed.

Equity. 16: 56. January, 1914

The Ohio Defeat

Official returns of the vote on the Short Ballot amendments in Ohio show the following vote:

For the state amendment, 233,153; against, 447,493.

For the county amendment, 213,865; against, 436,739.

The heaviest majority against the amendments, as was expected, was cast in the rural counties. It was to them that the state officials chiefly directed their campaign. The Short Ballot forces, on the other hand, directed most of their energies to the city voters; and where it was possible to secure effective publicity, the amendments carried by substantial majorities, as in Cuyahoga County (Cleveland), Lucas (Toledo), and Hamilton (Cincinnati).

On November 10th the Ohio Short Ballot Committee issued this statement, which speaks for itself:

The first Short Ballot skirmish was lost on Tuesday: because the movement is new; the principle was misrepresented by office-holders and office-seekers, and the amendments, as submitted by the general assembly, were unfortunate in form.

In counties where the cause was fully presented to the people it commanded satisfactory majorities. In Cuyahoga County it carried by a majority of 29,000; in Hamilton by 7,000, and in Lucas by 3,000.

The next contest will be on an initiated short-ballot amendment which

will express just what the Short Ballot advocates believe should be in the fundamental law of Ohio. It will include:

(a) The appointment of state administrative officers, who are lost sight of by the voter at the polls; the establishment of the cabinet system in state government, and the fixing of definite responsibility upon the governor, whom the people can call to account every two years.

(b) Home rule for counties, making it possible for the legislature to provide (with the approval of the voters) relief for populous counties from the present rigid, inefficient and expensive county government.

(c) Legislative districts; providing for the division of the more populous counties into as many representative and senatorial districts as there are representatives and state senators, so that each voter will be required to vote for only one state senator and one representative, instead of for eighteen in Cuyahoga, fifteen in Hamilton and six in Franklin County, as at present.

Where the Short Ballot had one enthusiastic supporter in Ohio three months ago it has a hundred to-day. Its reasonableness becomes apparent as men study its purpose. Its necessity grows more obvious as government becomes more complex. It is one of those vital reforms that thrives on defeat. The issue involved is "Shall intelligent voting be made easy and simple in Ohio?" The restoration of representative government is at stake. The men behind this constructive reform are not quitters. They are patient and steadfast men who are accustomed to the long look ahead. The fight has just begun.

World's Work. 19:12760-11. April, 1910

Politics without the Politician

Can you name the state auditor you voted for at the last election, or the coroner, or the county clerk, or your state representative? Did you really have a choice among the candidates for these and the dozens of other offices you think you helped to fill? Can you assert that you knew anything concerning the characters of half the candidates on the long ballots you have been marking? A voter who participates in the full four-year cycle of elections, national, state, county, city, township, has to record his choice for about five hundred offices, for each of which there may be an indefinite number of candidates. Can any elector rationally be expected to have the wide personal information which he should have to vote in this wholesale fashion?

It is a just criticism of the republican system that it loads the citizen with electoral responsibilities for which he is not and cannot be competent. The average citizen, as a rule, knows little or nothing about the minor offices, the candidates for

them, the qualifications required, the lengths of the terms, and the recurrence of elections.

Somebody does know, however. The citizen being too busy with his private affairs to keep himself informed on these multitudinous public matters, there has grown up a profession which manages his voting for him. Necessity has created the politician—the specialist in the election business.

The profession of the politician is a thoroughly honorable and useful one. In Chicago and a few other cities, organizations like the Municipal Voters' League maintain honest election specialists, paying them to place their knowledge and skill at the service of the public.

Generally, however, the professional politician is in business for himself. He trades in the people's ignorance and fills at least the minor offices with men who will serve his own interests.

A new idea is abroad, offering to remedy many of the ills of rule by politicians. It advises: Shorten the ballot; take the minor offices off the voting-papers. The citizen can post himself concerning conditions for the presidency, governorship, mayoralty. There will be greater certainty in getting the right men in the high places if the little places are not voted for at the same time. Then let the big men appoint the little ones—and be responsible for them. Drive the political specialists out of business by making them unnecessary.

The Short Ballot means the concentration of responsibility.

Outlook. 92:971-2. August 28, 1909

Short Ballot

Some of our readers appear to think that the Short Ballot idea is a novel and radical one. It is not. In American politics it is a hundred and thirty-two years old.

The Short Ballot idea has been defined and described in several articles recently published in these pages. It is that we should follow in our municipal and state elections the method of our federal election; that we should make our elective public officials as few as possible and confer upon them as great executive powers as possible. The Constitution of the United States, submitted to the people in 1787, adopted for the national government the Short Ballot plan of conducting elections, and

rejected, after serious debate, the method now universally followed in elections in the various states. In national affairs the citizen votes for one president with a vast appointing power, one representative, and (although indirectly) for two senators. Gouverneur Morris, of New York, was largely instrumental in having the Short Ballot idea introduced into the Federal Constitution. Ten years before, in 1777, he tried to introduce it into the Constitution of the State of New York, and unfortunately failed. Theodore Roosevelt, in his very interesting and illuminating life of Gouverneur Morris, published twenty years ago, in the American Statesmen Series, makes the following significant comments upon Morris's connection with the first New York State Constitution:

It was over the executive branch that the main contest arose. It was conceded that this should be nominally single-headed; that is, that there should be a governor. But the members generally could not realize how different was a governor, elected by the people and responsible to them, from one appointed by an alien and higher power to rule over them, as in the colonial days. . . . Morris himself was wonderfully clear-sighted and cool-headed. He did not let the memory of the wrong-doing of the royal governors blind him; he saw that the trouble with them lay, not in the power that they held, but in the source from which that power came. Once the source was changed, the power was an advantage, not a harm, to the state. Yet few or none of his companions could see this; and they nervously strove to save their new state from the danger of executive usurpation by trying to make the executive practically a board of men instead of one man, and by crippling it so as to make it ineffective for good, while at the same time dividing the responsibility so that no one need be afraid to do evil.

While the views of Morris were adopted in the Federal Constitution, they were rejected in the State Constitution. The result is that to-day boss-made and machine-driven government flourishes in our state and municipal administrations, while it has comparatively little influence in national affairs. The popular will is expressed more directly and more efficiently through the Short Ballot of our federal elections than through the cumbersome method by which, in Boston, for example, the voter is confronted with the names of nearly ninety candidates on his ballot.

Boston has discovered the fact that its present system of elections contributes to the confusion of the voter and the strengthening of the corrupt or selfish boss. The Boston Finance Commission, after disclosing a condition of corruption

at the city hall which aroused the attention and indignation of the whole community, has proposed and put through the state legislature a Charter bill by which two plans for city elections will be submitted to the voters next November. Plan number one is generally regarded as the plan of the politicians; plan number two is that favored by the Finance Commission. Both plans, however, provide for a shorter ballot than Boston now employs, for the present city government includes thirteen aldermen elected annually at large and seventy-five common councilors elected annually by wards. Plan number one, or the politicians' plan, provides a common council of thirty-six members, and, while a concession to Short Ballot sentiment, still clings to the idea of a bulky and unwieldy administration. Plan number two, in our judgment far the more practical as well as far the simpler, provides for a city council of nine members. The entire council is to be elected the first year, but, after a certain definite period provided in the charter, there will be only from four to six municipal candidates to be elected each year, the larger number falling in those years when the mayor and two members of the school committee, as well as three members of the council, are being chosen. The mayor will be elected for four years, but there is provision for a "recall" on the expression of the will of a majority of the registered voters.

The weakest spot in American democracy to-day is American city government. Advocates of municipal reform in all parts of the country will join with the Boston Finance Commission in the hope that the voters of that city will adopt plan number two. The Finance Commission, in urging its adoption, makes the following prediction:

By reducing the number of candidates, and thereby simplifying the ballot, good nominations and intelligent discussion of candidates will be possible. This is not now the case. . . . The commission is under no illusion that the changes recommended will of and by themselves secure good government. No municipal charter can be a self-executing instrument of righteousness. If the people want the kind of government they have had during the past few years, no charter revision will prevent it. If, as the commission believes, they desire good government, the plan suggested should enable them to obtain and keep it.

Why should not the Short Ballot idea, which has been put into successful operation in some of our western cities, and is now likely to be applied to municipal administration in Boston, be taken up, discussed, and perhaps embodied in constitutional

amendments in the various states as a means of reforming state politics along practical lines?

Outlook. 92:829-31. August 1, 1909

Short Ballot Again

The electoral reform proposed by Mr. Richard S. Childs in a recent issue of *The Outlook*, and entitled "The Short Ballot," has excited an unusual amount of newspaper comment—much of it, we are bound to say, skeptical, if not adverse. This is not disappointing, because it is entirely natural. Americans are thoroughly saturated with the idea of democracy; they believe with all their hearts that this is a "government of the people, by the people, and for the people." Partly through the influence of French political philosophers in the period of struggle immediately preceding the birth of the American Republic, partly through tradition, partly through the unconscious and autonomous growth of political machinery, and partly through the persistently inculcated doctrines of the political "bosses," who wish to control nominations and elections, we have come to accept, as a fundamental part of our political creed, the belief that in order to have a representative government the people must choose and elect all their executive officers—or at least, if not all, as many as it is physically possible to crowd upon a ballot. We do recognize that there are some physical limitations; in New York we elect a secretary of state, but we let him choose his deputies; we elect our state treasurer, but we let him appoint his cashier. It is manifest, therefore, that a line is to be drawn somewhere. Mr. Childs proposes, not that we shall adopt a radically new system of government, but simply that we shall move the line, which everybody recognizes, a little further upward and vote for fewer officers, imposing upon those officers greater responsibilities of appointment. We should still have a representative government—in our judgment a more representative government, for the elected officers would be more intimately known and understood by the voters, and would therefore be held, both morally and practically, more responsible to the people.

From a mass of newspaper editorials which have come to our attention, we select three as voicing the typical objections

to the idea of the Short Ballot. The Concord (New Hampshire) Patriot says: "If what Mr. Childs says be true, why not elect just one man in the state, as, say, governor, one man in the county, as, say, sheriff; and one man in the city, as, say, mayor, and let him fill all the other places?" Why not, indeed, with the modification of having the voter also elect one or two representatives to a legislative council which shall co-operate with the executive? This is the method employed in the national government and it works entirely successfully. The presidents of the United States, from the days of Washington, have represented the American people and have protected them in their democratic rights more completely and more successfully than the state administrations of any state, or of all the states. The Patriot goes on to say that New Hampshire has tried the Short Ballot plan with large appointive power, and it has proved a failure; that New Hampshire has not had a governor in decades who has really represented the people, and who has not made his appointments from corrupt or selfish or weak motives. Our answer is, first, that New Hampshire has never tried the Short Ballot plan. A 1904 ballot of the New Hampshire city of Manchester includes, outside of the national offices, thirty-one sets of candidates. This is not a short ballot, but, on the contrary, is one of the longest in the country. "Neither the people of New Hampshire nor any other state," says Mr. Childs, "are competent to elect thirty-one officers on one day with any degree of discrimination. Nothing but a long-established and adroitly managed political machine can handle the task of making nominations for such a multitude of offices. It is not strange, then, that the machine can control, not only the minor officials, but also the governor." But suppose that the Patriot were correct, and that New Hampshire voters, by means of the Short Ballot, had elected corrupt governors for decades. Is the remedy to give them the opportunity to elect a great body of corrupt subordinate officers? Does the pessimistic maxim, "Set a thief to catch a thief," provide a cure for our political ills? Decidedly not. The remedy in New Hampshire is to center the power of executive action and direct responsibility to the people in the governor, and then to educate the voters so that they will make short shrift of a governor who does not represent them as they desire.

The second objector is the Aurora (Illinois) Beacon, which

asserts that the voters in Illinois on the whole know the personal qualifications for office of the candidates presented to them for election upon the present ballot, and desire to act for themselves upon that knowledge. We concede the fact that a high degree of intelligence prevails in the state of Illinois, but we doubt whether the citizens of Aurora are competent to decide, or are interested in deciding, whether the state engineer knows enough differential calculus properly to determine the strain on an arch in one of their new highway bridges; or whether the trustees for the University of Illinois, for whom they vote, are fitted to select a professor of agricultural chemistry for that admirable institution. Yet these are exactly the kind of questions which the citizens of Illinois ought to give attention to if they are going to vote intelligently for some of the candidates now presented for their inspection and suffrage. The absurdity of imposing mathematical or chemical responsibilities on the voter is manifest.

The Cleveland (Ohio) Leader is another objector to the Short Ballot plan, and its opinion is typical of a somewhat general but not very carefully reasoned skepticism. The Leader is inclined to believe that a more efficient democratic government would follow the concentration of all responsibility upon fewer elected public servants, but it also believes that the American people do not want this kind of reform. "The majority, it is probable, would prefer to be badly and wastefully governed and still governed directly by men of their own choosing rather than to be well governed and have their public business efficiently administered if it had to be done by officials whom the people did not select." If the Leader means to say "by officials *all* of whom the people did not select," we take issue with it; we do not think Americans want bad government in exchange for electing *all* public servants. They do, however, desire that the officials whom they do elect shall mind their business, shall feel their responsibility, and shall be responsive to the popular will. The postmaster-general of the United States, who is appointed by the president, answers to these requirements quite as fully as the president himself. If there is any executive department of the government the head of which the people might naturally feel should be selected by them and by them alone, it is the director of the post-office. But the fact that he is an appointed and not an elected official does not make him immune from the

exercise of the popular will. A postmaster-general whose acts met with a storm of disapproval from every part of the country would at once resign or be dismissed from any cabinet, except, perhaps, that of a President Johnson; and President Johnson could not have been elected in accordance with the Short Ballot principle.

It appears to us conclusive that the burden of proof rests upon the objectors to the Short Ballot idea; it needs more evidence than has been so far presented to convince *The Outlook* that it is not easy to understand, simple of application, politically efficient, and more in accord with the principles of representative government than our present method of trying to select all public officers by popular choice.

Equity. 16: 53. January, 1914

Short Ballot Movement in New York

The Short Ballot idea received its greatest impetus in New York state when, on December 5, the Republican conference in New York City adopted a resolution, couched in very definite terms, supporting the application of the principle to the state government. This action assured the support of the party in the next legislature for a constitutional amendment which would vest the appointment of the principal administrative state officers (the comptroller, the attorney-general, the state treasurer, the secretary of state and the state engineer and surveyor) in the governor. This follows the line of advance laid down in California, Iowa and Ohio, and may be called the orthodox measure as applied to state government.

Governor Hughes at the very outset of the Short Ballot movement recommended such a step, but his influence, though great, was insufficient to commit the party. Last year, however, the Progressive forces not only incorporated the Short Ballot principle in their state platform, but prepared and submitted in the legislature a definite measure and supported it with a pamphlet which was widely circulated. In the Democratic party the proposal now has at least the passive support of Governor Glynn, who, in calling the attention of the legislature to the necessity for a constitutional convention at an early date, pointed to the general sentiment for Short Ballot reform as one of the chief reasons for action.

These developments have a particular significance at this time, inasmuch as the system of direct primaries, coupled with the Massachusetts ballot, has been adopted by the hold-over legislature. Careful students of electoral conditions see quite clearly that the maximum benefits to be derived from these new electoral reforms will not be enjoyed by the people without the simpler conditions supplied under the Short Ballot. Until the latter is in effect the function of the Massachusetts form of ballot will be principally that of demonstrating to the voter precisely how much or how little he knows about each of the candidates. As for the direct primary, the difficulties of the long ballot are quite the same, if not even more aggravated, when the voter makes his choice of candidates within the party as when he makes his final choice.

But the party program in New York is not as yet as broad as that of the leaders in the Short Ballot movement: the executive committee of the New York Short Ballot Organization. This body, now that its original proposal is in seemingly good hands, has broadened its interest to include attention to the county and judiciary problems.

Independent. 69:1152-5. November, 24, 1910

Shortest Ballot. Lucius F. C. Garvin

The movement for a Short Ballot is to be commended and supported. The contrast between the parliamentary ballot in Great Britain and almost any ballot in the United States is marked and very much to our discredit.

In England two or three names for the one office of member of Parliament appear upon the ballot, and the voter is called upon merely to indicate his choice among them. This is very simple, concentrates each voter's attention upon a single important act, and necessarily secures a member more representative of the majority of voters in each district than is possible with our ballot containing a multitude of candidates for many offices.

Compare such a parliamentary election with the congressional election in Rhode Island, November 8, 1910. It is true that this year there was not added to the list of candidates a string of presidential electors, as was the case in the preceding congressional election and will occur again in 1912. But in each of the six cities of this state were to be found, as a part of the con-

gressional ballot, the candidates of all the parties for governor and for the other four state offices, also for state senator and for state representative. This makes eight offices to be filled upon the same ballot.

Besides all this, in five of our six cities there was a second ballot, deposited at the same time, containing the names of candidates for mayor and the other general city officials, for aldermen, for the several members of the common council and members of the school committee.

Each of the two ballots might be voted in its entirety by marking a cross (x) in the circle under the symbol at the head of the party list. In this way most electors, by making a single cross mark, vote their straight party ticket, thus usually guaranteeing the election of the candidate selected by the machine of the successful party.

It is needless to say that, of two opposing candidates, the inferior frequently is elected, and that, even for so important an office as governor or congressman, the real preference of many voters is not expressed. This year, too, the election of congressmen in Rhode Island was complicated by the fact that the legislature then chosen is to elect a successor to Senator Aldrich.

The Massachusetts ballot is better than that of Rhode Island in that each elector, in order to vote a full ticket, must look his ballot entirely thru and make his selection from the names alphabetically arranged under each office. But even so, for many if not all of the offices, the average voter must guess rather than choose intelligently, thereby falling far short of the best results.

The commission form of government for cities, where not more than five offices are to be filled at one election, is eulogized as an illustration of the Short Ballot. Certainly, the limitation of the duty of selection to designating a few important officials is a great improvement over the filling of a long list of offices, many of them of seeming unimportance, which usually characterizes municipal elections. However, five or even three are too many for the average voter to choose successfully at the same time.

The greater objection to the commission form of government, as now developed, is that a large minority of the electors is unrepresented upon the city legislature of five members. For, whatever administrative functions may be assigned to each commissioner, it is still true that, as a whole, they fix the rate of

taxation, apportion the city's income and enact ordinances, all of them legislative functions.

The city commission, therefore, is a small body, chosen by a plurality, upon which a minority of the electorate, however large, is unrepresented.

I predict that within a few years, as soon as the political machines learn the ropes of the new system, spoilsmen will constitute the majority of the commission—and then! With all power concentrated in the hands of three men, who are serving the interests rather than the public, we may witness abuses equal to, if not exceeding, anything known in the past, either in Philadelphia, San Francisco or Pittsburg.

As reformers our aim should be, not the Short Ballot, but *the shortest ballot*. At no election should more than one officer be voted for by any elector. That is the situation in the parliamentary elections of Great Britain, but the choice of the voter among candidates is very restricted, with the result of a legislative body chosen by and representative of about one-half of the total number of qualified electors voting. Parliament designates the prime ministers, thus avoiding our popular election of president; but, since the choosing body is unrepresentative, the administration it names must also in some respects be unrepresentative of the will of the people.

In order to apply the shortest ballot to the election of congressmen in the state of Massachusetts, it would only be necessary to have a general ticket for the entire state and limit each elector to a single vote. For the fourteen congressional offices the names of double that number of candidates might appear upon the ballot, each elector to take his choice from the entire list.

Under such an election law the method of nominating candidates becomes unimportant. Primary election laws, which at best are an added and disagreeable burden imposed upon the voters, will become of no consequence and may well be repealed. Let the parties, large and small, nominate in such manner as they choose, and let individuals sign nomination papers for independent candidates when they like. By these two methods a sufficient number of capable men will find their names placed upon the ballot, and the fourteen candidates receiving the highest number of votes will be elected. In this way, instead of fourteen geographical districts being represented in Congress by the

choice of the party dominant in each, the fourteen leading political opinions held by the voters of the state of Massachusetts will be represented, in most cases by the ablest exponent of the respective opinions. Instead of about half the voters of the state being unrepresented, and the other half in most cases unsatisfactorily represented, as is now the situation, nearly all of the electors will have as spokesman at Washington their first choice among all the citizens of the state.

What is here stated of Massachusetts will be true of all the other states. Then our national House of Representatives will become the one truly representative legislature of the world, capable of handling the business of the country with a facility and success as yet undreamed of anywhere. This perfectly representative body, reflecting accurately the convictions of the people as a whole, can get along very well without the Senate, which should then be abolished.

But, besides a national government, society has in the United States two other political organizations, namely, the state and the municipality. Each of these three corporate bodies should hold their elections separately. But in every election the same rule should be followed: No elector should be permitted to vote for more than one candidate, but he should be entitled to take his choice of all the candidates in the field. Just the number of which the legislative body had best be composed is not a matter of principle, but must be determined by experience. For a city it may be five, as in the commission form of city government, or it may be nine, as fixed upon by the city of Boston; but in either event all should be elected annually upon a general ticket, and each elector restricted to voting for one candidate out of the total number upon the ballot.

Eventually an ideal election will be conducted as follows: For illustration, make the application to the state of Rhode Island. Assume that it has been agreed to abolish the house of representatives, leaving but one body, the state senate, to be composed, let us say, of thirty-six members.

Election day is here and all go to the polls. Each voter knows, thru previous newspaper advertisements by the state, from sample ballots freely distributed, and by means of an active campaign just closed, that for the thirty-six positions of senator there are fifty or more candidates. At the voting booth he finds a check list containing in alphabetical order the names

of the qualified electors of his district, with a blank space at the right of each name. His sole duty as an elector is to announce *vivâ voce* the name of the candidate of his choice and see it written in the place opposite his own name.

Having but one chance each year to name his chosen representative, it is very certain that each elector will make up his mind after much consideration and with due care. He will be very solicitous that his sole representative, the only one to act for him in the government of the state, shall be the candidate above all others in whom he has confidence. Some men, no doubt, will vote for a neighbor whom they know personally and have faith in, but more, surely, will select from the list the candidate, without regard to his place of residence, whom he deems the greatest and best of all. Few can be bribed by any sum to vote for other than their first choice, and a briber, if successful once, will be deserted by all honest supporters at the next election. No voter can be kept away from the polls by any device short of force. Interest in the election and in the returns will be like that manifested over a game of baseball by the enthusiastic lovers of that sport. Such an election, instead of being, as now, a fight, with its exultant winners and its down-cast losers, will be a great fair, in which all will draw a rich prize.

The thirty-six candidate receiving the highest number of votes would be declared elected. Each senator elected could, and doubtless would, be supplied with a list of the voters who named him as their choice. Not only he himself, but his fellow senators and the public, would know the kind of citizens whom he represented, and he would be rated accordingly. It may become desirable that each senator, instead of casting one vote only in his official capacity, shall be entitled to cast as many votes upon any proposition coming before the senate as were counted for him at the polls.

In limiting the entire political activity of the qualified elector of a state to casting his vote for one candidate for a single office, it is contemplated that the perfectly representative senate which results will enact all statute laws and will designate the governor of the state. That is to say, the system which has been evolved for conducting the government in the United Kingdom will be followed. As in the case of the prime minister, who is designated as such by the majority of the British Parlia-

ment, the governor so chosen would appoint the other principal state officers, such as secretary of state, attorney-general and general treasurer, and these would name their subordinates, as provided by a civil service law. It is perfectly safe to assume that such a state senate would be so able and so representative as to select officials and enact laws of a very high quality.

The above outline of a state government, if correct in theory, will in the end be applied also to the national government and to municipal government. So that, eventually, a citizen of the United States will be called upon to vote for three officials only, namely, his representatives in the state legislature, in the national legislature and in the municipal legislature—the respective legislatures to do the rest in their several spheres.

Manifestly these elections should be separate and apart from each other. The national election, as now, might be held in November of the even years; the state elections in November of the odd numbered years; the municipal elections annually, in December or in the spring.

If under these conditions, the shortest ballot imposing so simple a duty upon each citizen, the people of the United States could not provide themselves with satisfactory government, then must it not be admitted that we are inherently incapable of governing ourselves? But since we have worried along somehow under extremely complicated and defective machinery of elections, there can be no question of success with the better system in vogue.

Equity Series. 15: 84-8. January, 1913

Short Ballot—What It Is—Its Progress to Date

There is one condition in American politics which everybody now recognizes as an evil. The American voter in every state, in nearly every county, and in most cities, is burdened with a task which he has proven himself unable to perform—the selection of a vast host of officials by ballot. In our excess of enthusiasm over democracy, we have forgotten that the every-day citizen cannot be an up-to-date, loose-leaf encyclopedia on the qualifications and history of every candidate for every office which our system makes elective. This is nothing to the dis-

credit of the voter himself; he has more vital problems to settle than who the coroner should be, or who will file away the records of real estate transfers at the county court house.

Political scientists until recently have practically all set down this fact as an incurable malady. Newspaper editors have taken occasion after each election to point out the imbecility of the voter trying to master a ballot of perhaps hundreds of names, and have then lapsed into silence on the subject until the next election. Lawyers and bar associations have regularly deplored the necessity for dragging the judges on to the political stump. And the plain citizens who have had to master these blanket-like ballots have gone away from the polls disgusted and disgruntled. All the while the professional politicians have been running the government, not always or perhaps so very often any worse than the people would have done it, but always thru an unofficial, irresponsible second organization. Government by the people, in every real sense, in-so-far as their control over the vast proportion of the officers is concerned, very largely ceased. There was a pseudo-popular rule to be sure, which is typified by the party-column ballot. Theoretically, the voter could select forty, fifty, or even sixty officers. What *actually* happened in most cases, was that the voter put his cross in the party circle and let it go at that. Voting the straight ticket was so simple! And so deceptive! The voter with just two strokes of his pencil, signed away his civic birthright to one or another of the party organizations.

Direct primaries were expected to afford a relief, but they have proven a disappointment because they have not made politics simpler, but more complex. It is not that the principle of directness is wrong, but that directness cannot be an assured benefit without adequate knowledge.

Along came the Short Ballot movement, a little over two years ago, in an effort to bring the editors, the professors, the lawyers, the plain citizens and the politicians face to face with the problem and to solve it in the interests of effective and intelligent citizenship.

The friends of the Short Ballot idea began by summarizing the evil of the long ballot in these words:

"First: It submits to popular election offices which are too unimportant to attract (or deserve) public attention; and

"Second: It submits to popular election so many offices at one time that many of them are inevitably crowded out from proper public attention; and

"Third: It submits to popular election so many offices at one time as to make the business of ticket-making too intricate for popular participation, whereupon some sort of private political machine becomes an indispensable instrument in electoral action."

If this analysis is true, it is clear that the average voter has practically no real chance to register his opinion on public affairs thru the choice of officials with the exceedingly important exception of a very few conspicuous officers, who stand out from the others because of their great power or influence, and the interesting, understandable nature of their functions. The great majority of officers elected by ballot are now drawing salaries because the head of the ticket has carried the tail. The minor officers on the big ballot, those who perform clerical, administrative and technical duties, are like the stowaways on an ocean liner; they slip on board unnoticed; they successfully conceal themselves during the voyage; they arrive at their destination without giving an account of themselves. This is why governors, mayors and other chief executives are nearly always at least presentable men, while the minor officers are very often a very inferior type of political jobsters.

The Short Ballot Principle

Once the difficulty with the ballot is recognized in this way, the remedy formulates itself in the principle of the Short Ballot, which is defined as follows:

"First: That only those offices should be elective which are important enough to attract (and deserve) public examination.

"Second: That very few offices should be filled by election at one time, so as to permit adequate and unconfused public examination of the candidates, and so as to facilitate the free and intelligent making of original tickets by any voter for himself, unaided by political specialists."

This principle is at the basis of democracy in the cities of Great Britain and the cities in this country which have adopted the so-called commission form of government.

It is the hope of those who are leading the Short Ballot

movement, to effect the necessary changes in the constitutions and the statutes of the various states, which will as rapidly as possible drive from the ballot all purely administrative, technical and clerical officials. This would include such officers, now elected in many states, as the secretary of state, state treasurer, state printer, attorney-general, clerks of courts, county clerks, registers of deeds and surrogates, city treasurers, city clerks, city attorneys. The pruning process might go further, according to the local feeling and conditions. In some communities it might be found desirable to provide a method of appointment for judges. But this is a debatable question which will require the most careful scrutiny before a decision of any sort is arrived at. The appointment method of selecting judges is not a necessary part of the Short Ballot program.

Certain officers, on the contrary, under a democracy must always remain elective. These are the *policy determining* or political officials, such as the members of a city council, the members of a state legislature, and congressmen and United States senators.

The appointing power would necessarily fall into the hands of the "conspicuous" officials. This does not mean, of course, the extension of the spoils system. Often it would be necessary in the application of the Short Ballot principle, to call in the aid of accessory principles such as the "merit" system of civil service, which has lately been perfected and is now applied to such high officials as the public librarian in Chicago and the fire chief in New York City. A strict "corrupt practices" law would often also be desirable, to prevent "pernicious activity" on the part both of the appointing party and the appointee.

These devices will often help to meet the argument sometimes made in opposition to the Short Ballot idea that its advocates would establish a concentrated, irresponsible machine. Those who raise this cry forget that we have such a machine at the present time in many states, which unfortunately is centralized not under conspicuous, responsible and indictable public officers, but under an entirely unofficial and often almost invisible boss or "ring." And it is inconceivable that the Short Ballot ideal could be applied in such a way as to create a greater oligarchy in American politics than the one which exists at the present time in most of the state capitals.

The First Fruits

It was in California that the present Short Ballot movement, two years ago, first took root. Thanks to Governor Hiram W. Johnson, who advocated the idea in his messages and public addresses, and to other enlightened public leaders, the legislature in 1911 submitted to the people four Short Ballot measures. One was a constitutional amendment which resulted in removing the clerk of the supreme court from the ballot, and getting him under the control of the supreme court. By statute the state printer was made an appointee of the governor. Another constitutional amendment vested the appointment of the railroad commissioners in the governor. Thus, a beginning was made toward remolding the administration of the state departments into a compact, unified organization under the governor. Likewise a county home-rule amendment was passed, and later adopted by the people, which made it possible for individual counties to shorten their local ballot, in accordance with local conditions.

In Ohio the constitutional convention, which met in January, 1912, debated, but ultimately rejected by a rather small margin, a measure which would have made the principal administrative officers of the state appointive by the governor, thus greatly shortening the enormous Ohio ballot and giving that state a sensible form of administration. Such a measure will doubtless be submitted to the people again: this time by the legislature.

The Short Ballot Cities

The most popular application of the Short Ballot principle, of course, is to be found in the so-called commission plan of city government, which has now become a very familiar type thruout America. The commission plan, in many instances, to be sure, involves one or all of several other features, including election at large, the non-partizan ballot, and the initiative, referendum and recall. But the only features held in common by all commission-governed cities are election at large and the Short Ballot. It is beyond question, then, that the relative success of this plan over the older and more usual type of city government is in very great measure due to the presence of Short Ballot conditions.

A necessary consequence of the Short Ballot, that is, the right sort of Short Ballot, is that the administration is unified and brought under the authority of a responsible head. It is this, perhaps, more than anything else, which makes commission government so superior to the mayor-and-council plan, which has been in vogue in most of our other cities until recently. Even more strikingly than in the usual commission plan, the idea of unification is brought out in the Sumter or Lockport city manager plan, by which the routine administration of the city is brought under the control of a single appointive expert, who in turn is responsible to the representative elective body, the city council.

The success of all administrative bodies in all times has required some such unification and responsible headship. More than ever, these considerations take on weight in this day of scientific "efficiency" principles. Standardization, which is at the root of efficiency and economy in organization, can only be brought about where there is a real head, who can insist on his (or their) instructions being carried out. This principle, of course, holds good for the states and counties, just as it does for cities.

Up to date about 210 cities thruout the country have adopted commission government, and so far none has seriously considered a return to the old plan.¹ Not that the commission plan is an ideal type of city government by any means; but it has shown indubitably the capacity of American citizens to act wisely and effectively when the conditions of citizenship are reduced to a point where the average voter can investigate and remember the qualifications of his representatives in office. The voters in commission governed cities do not need the assistance of a boss. That functionary's occupation is gone.

The growth of commission government has been facilitated by optional state-wide laws by which cities may adopt the commission form by referendum vote. Such laws are on the statute books of Alabama, California, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Montana, Nebraska, New Jersey, North Dakota, South Dakota, Washington, Wisconsin and

¹ Attempts in the past year have been made by local politicians to force a city to revert to its old form of government. In each case (Hutchinson, Kan.; Baker, Ore., and Spokane, Wash.) the effort failed.

Wyoming. This list does not include all the "home-rule" states. Among the states which earnestly desire such laws are New York, Ohio, Missouri, Virginia, Pennsylvania and Indiana.

The Wider Organized Movement

The spread of the Short Ballot, both in its application to the commission plan and its wider significance, has been due in large part to the organized efforts of The National Short Ballot Organization. It is not an exaggeration to say that practically every independent newspaper and magazine in the United States not only favors the Short Ballot, but at one time or another has said so in an effective way thru its editorial columns. Fully one hundred professors of political science in American colleges are teaching the Short Ballot principle by means of the pamphlets published by this organization.

The theory has gained practically universal acceptance. It remains for the theory to be transmuted into definite legislative measures. This, of course, can only be done by citizens who are thoroly familiar with the local conditions which they intend to meet.

It has been shown above how, in state government, the idea would be applied according to the programs laid out in Ohio and California. Following closely the lines laid down in these states, the Chicago City Club's committee on the Short Ballot (Mr. E. H. Cassels, chairman, The Rookery, Chicago), has prepared a program for Illinois. The Short Ballot Organization in New York state has been conducting a campaign along similar lines.

So far as the state administration is concerned, the way to the application of the Short Ballot idea seems fairly clear. It is simply a case of putting the minor state administrative officials directly under the control of the governor. Their appointment should not be made subject to the confirmation of the senate or anybody else. The governor should be held responsible; he should be made to stand or fall by his record. Of course, the time will come when more radical measures may be proposed; such, perhaps, as the one voted on in Oregon at the November election, which will provide for a state legislature of only one house, the members of which will be chosen by a system of proportional representation. And here it may be remarked, in parenthesis, that this system points the way toward a Short

Ballot, wherever a number of purely political officers, having precisely the same functions, are chosen from the same district.

Short Ballot Counties

In county government the way to the Short Ballot is less obvious. California will prove an experiment station in this subject, because of the opportunities offered in the county home-rule amendment referred to above. In one county (Los Angeles) which has just availed itself of the privilege of drafting and adopting a charter, a most interesting application of the Short Ballot idea has been worked out. Under the plan embodied in this document, most of the elective officers of the county would become appointees of the county board of supervisors, subject to civil service examination, and hold office during the pleasure of the board of supervisors. The sheriff and district attorney are retained on the elective list because they are state judicial officers. Many interesting features appear in this charter, including the provision for the appointment of constables by the sheriff, thus providing a unified constabulary system instead of the two warring sets of peace officers under the old state law. The people of Los Angeles adopted this instrument on November 5th.

Thru theory and experiment, a way will be found to apply the principle of simplification to every unit of government.

Responsibility of the Parties

Just at present one of the most encouraging features in recent months is the support of the party organizations in many of the states. A review of the state platforms of the various parties shows that in Ohio and Illinois all three leading parties favor the Short Ballot idea. In each of the states of Colorado, Iowa, Nebraska, New York, Missouri, Pennsylvania and Utah, one or more of the platforms favor, recommend or demand it. In addition to the platform expression, the three leading presidential candidates this year have given their support. President-elect Wilson has been president of The National Short Ballot Organization since its beginning. Mr. Roosevelt vigorously preached the idea in his speech before the constitutional convention at Columbus. Mr. Taft referred to it very kindly in his speech of acceptance of the Republican nomination.

The people this year expect these platform promises to be taken seriously. The Short Ballot idea is a very definitely understood thing. *It is not a device to save paper but to conserve citizenship.*

The National Short Ballot Organization maintains an office at 383 Fourth Avenue, New York City, for the express purpose of helping any and every citizen who is interested in any phase of the question. It welcomes every opportunity to place its literature in the hands of such persons, and to give more special assistance. It does not profit financially in any of its enterprises.

STATE GOVERNMENT

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Future State Government

The city, the state, the nation; or the nation, the state, the city. Consider these three entities in either of the above rotations, or both rotations. Until recent years our most conspicuous failure in government was in city government. The marvelous growth of cities, the concentration of wealth in cities, emphasized the crudity of our plan of city government, and revealed many tempting prizes to the scheming grafter. He was surprised at their richness and the ease by which he could get them. Great scandals inevitably followed. During recent years much of the best talent in our country has been devoted to the science of municipal government, and the corruption of the past has been greatly reduced and it is now rapidly disappearing. The rise and phenomenal spread of the commission government plan, carrying with it the local application of the initiative, referendum and recall, is a very important part of and cause of the great improvement we have seen in municipal government during the past few years.

The commission plan is a very great improvement on the old plan of municipal government. But it is not yet perfect. Realizing the importance of *plans and methods*, the best talent is now being devoted to improving and perfecting what has proven to be a good plan. The cry is no longer "elect better men," but *find the best plan*.

This magazine is devoted to plans and methods of government; so it is not strange that the earliest observations of the faulty character of our present plan of *state* government, and suggestions for its improvement have had their first expression in these columns. Our states are all governed on the same general plan of our national government: a chief executive; a legislative branch consisting of two houses; the upper house presided over by the vice chief executive (vice-president, lieutenant-governor); a supreme court. It would have been better

if the states had copied the appointive cabinet also, instead of making the state officers elective.

This year is seeing 40 state legislatures in session, from 1,000 to 3,000 bills introduced in each, and some of the sessions limited to 60 days. Most legislatures consist chiefly of crude material, and here the political expert—the expert not in the best sense of the term—finds his opportunity. In most states, cities are held in close bondage to the legislature, and this links the city corruptionist to the legislature and state government. This union is an evil to both, the cities on one side and the state government on the other.

Some years ago, as soon as the success of the commission plan of city government was demonstrated, this magazine suggested some similar plan for state government, and we have reiterated this idea from time to time. We have been glad to see the idea “take root” here and there, and we predict that it will soon become widespread. Unfortunately, we have not yet a remodeled state government to point to as an example, but we have a sufficient theoretical basis for the present, and that basis is becoming firmer and more perfect, as municipalities are perfecting the commission plan and proving its worth.

The new model of state government will come, not thru constitutional changes suggested and submitted by legislatures, for we cannot expect legislatures to commit suicide. It will come by way of state constitutional conventions. Many states are now contemplating constitutional conventions, but they do not know that they are facing the consideration of radical changes in state government. We hope that these conventions will not come too soon nor too rapidly, for municipal government has not yet been developed to the degree of perfection that would present a sufficiently good model for the inevitable state government of the future.

However, it does not require a prophet of much insight into the future to state the following: The state government of the future will *not* consist of “three independent branches, executive, legislative and judicial.” This gray and grizzly heap, and the powers of the future state government will be closely and organically united, with no divided and shifting responsibilities. This is prophesy No. 1, and perhaps most important, because so comprehensive.

Prophesy No. 2 is, that the legislative functions of the state

government of the future will not consist of two houses made up mostly of men not only inexperienced in law-making, but unprepared for that trying work, and sitting for a limited period, during which time far too many laws, necessarily "uncooked" or "half-baked," are rushed thru. The future state legislative body must necessarily be a single body and a small body, not only carefully selected, but so selected as to truly represent the electorate of the state—not so much the territorial sections of the state as the interests and ideals of the electorate, regardless of geographic sections. It is not the trees and rail fences in a county that deserve representation, but the *voters* of the county; and some of the voters of one county may wish to unite with voters of similar ideals in other counties, even tho distant. Plans are constantly discussed in this magazine that will give true representation, regardless of distance or territory. Such a body—call it a commission, council, board of governors, or what you please—will be adequately paid, and will be in constant service. It will not be bothered with local matters. Cities, towns and counties will be entirely free to manage their own affairs, subject only to general laws of the state—and these general laws will always favor local freedom, except where state interests are involved, or where certain regulations will secure uniformity and serve the interests of all. This body will promulgate but few laws, and no bill will become a law until after opportunity for the fullest discussion. This body will always be subject to the initiative and the recall, and its acts will always be subject to the referendum—but perhaps the best referendum will be the careful submission of every bill to every interest it touches and to the press, with ample time for their discussion, *before* the bill becomes a law. We hope the time may thus come when the initiative, referendum and recall would fall into "innocuous desuetude," because representation would be so perfect that the I. R. and R. would not be needed; but they should always exist as primary rights, to be used whenever necessary.

Is this a flight of fancy or a true prophesy? A few years will prove. And this is only a part of the story. The administrative officers will be appointive, not elective—appointed for experience and proved fitness—maybe from some distant state or country. The leader of the Philadelphia orchestra was gotten from Germany. Why should not the managers of a state have

a world-wide choice in selecting specialized talent for the service of the state? The judiciary will probably be appointive, and not "separate, distinct and independent" of everybody else. It will be an intimate and vital part of the state government, and like all other parts of the public service, it will be subject to the dominant will.

Municipal and county government will grow in scope, importance and independence, thus cutting off much with which the state government now deals, but the separation will benefit both the state and the localities. During future years the national government is sure to encroach upon present state functions. Thus the state will apparently shrink between two growing forces; but the shrinking will only be apparent. Differentiations between the spheres appropriate for each will grow clearer as times goes on, and the result will be the best service to the individual in his various relations.

I did not expect to say so much at the present time. Nor do I expect to see my dream realized with undue haste, nor in perfection without long, tedious and possibly painful experience. There is a vague feeling in the popular mind that the present state constitutions are not right—antiquated. There is sentiment in many states for constitutional conventions. The evolution above ventured will come by way of state constitutional conventions. Indiana has one of the most antiquated constitutions. In November, 1914, the voters will decide the question of calling a constitutional convention. Pennsylvania may possibly vote on the same question in November, 1913. Constitutional conventions are possible in the near future in New Jersey, New York, Illinois and possibly some other states. The writer hopes they will not come too fast.

The State of Kansas, Governor's Office

Topeka, March 10, 1913.

To the Legislature of the State of Kansas:

As the legislative duties of the Legislature of 1913 draw to a close, I desire to congratulate the members of both branches on the magnificent work which they have accomplished. I believe that I am justified in saying that you have worked harder and accomplished more than any legislature in recent

years. Almost every pledge you made to the people last year has been fulfilled.

But I am convinced that this magnificent record is due rather to the efficient membership of this legislature than to the system.

In common with a large and growing number of thoughtful people, I am persuaded that the instrumentalities for legislation provided for in our state constitution have become antiquated and inefficient. Our system is fashioned after the English parliament, with its two houses based upon the distinction between the nobility and the common people, each house representing the divers interests of these classes. No such reason exists in this state for a dual legislative system, and even in England at the present time the dual system has been practically abandoned and the upper house shorn of its importance, and I believe that we should now concern ourselves in devising a system for legislating that will give us more efficiency and quicker response to the demands of our economic and social conditions and to the will of the people.

I have been led to this conclusion by an experience of eight years as a member of the Senate of this state and my convictions on this subject are by no means of recent date. As far back as March 12, 1911, in an interview printed in one of the great dailies, I advocated that our present legislative system be abandoned and that a legislative assembly of thirty members from thirty legislative districts, under the check of the recall, be provided for in its place. The suggestion made at that time met with much favorable comment, and I firmly believe that there is a growing public opinion in its favor.

You senators and representatives cannot but have observed the defects of our present system. In a short session of fifty days you are required to study and pass upon hundreds of measures, and the hurry with which this must be done must of necessity result in a number of more or less crude and ill-digested laws, which often puzzle learned jurists to interpret with anything like satisfaction to themselves or to the public. Hundreds of measures also, embodying important legislation, die on the calendar every two years. After a brief session, the legislature adjourns and the business of one coördinate branch of the state government is absolutely abandoned for a whole biennium, unless the legislature is convoked in an expensive

extraordinary session by the governor. It is as if the head of an important department of some other "big business" should give only fifty days every two years to its management.

I am aware of the veneration with which ancient institutions are regarded in some quarters, but I see no reason why we should cling to these institutions in carrying on the all-important affairs of the state, when in almost every other activity of life we are discarding old traditions and antiquated methods for newer and progressive ideas and more efficient and economic methods. This legislature has itself discarded the antiquated and inefficient methods of managing the business of our big state institutions and has concentrated the responsibility in the hands of a few instead of many boards—in a word, has applied to them the principle of government by commission. We have recognized in this state also that the old methods of city government are expensive, inefficient and unsatisfactory, and everywhere the commission plan of city government is being adopted, and in almost every case is yielding high-class results.

For myself, I can see no good reason why this new idea of government by commission should not be adopted for the transaction of the business of the state. Two years ago I suggested a single legislative assembly of thirty members from thirty legislative districts. I am now inclined to believe that this number is too large, and that a legislative assembly of one, or at most two, from each congressional district would be amply large. My judgment is that the governor should be *ex officio* a member and presiding officer of this assembly, and that it should be permitted to meet in such frequent and regular or adjourned sessions as the exigencies of the public business may demand; that their terms of office be for four or six years, and that they be paid salaries sufficient to justify them in devoting their entire time to the public business. Such a legislative assembly would not, I believe, be more expensive than our present system. It would centralize responsibility and accountability, and under the check of the recall would be quickly responsive to the wishes of the people.

A legislative assembly such as I have suggested could give ample time to the consideration of every measure, not only in relation to its subject matter, but to the drafting of it in plain, concise and easily understandable language. It would be ready at any time to deal with new conditions and to provide relief

in emergency cases, and, with time to inform itself about conditions, and to study the needs of the people, and of our state institutions, there seems to me to be no question but what it would be vastly more efficient than our present system, as well as vastly more economical.

Our present system has been in vogue since Kansas became a state, more than fifty years ago, and in that time we have seen the most remarkable changes in sociological and economic conditions take place. No private business now uses the methods of fifty years ago. In every activity of modern life new and progressive methods have been adopted. By "progressive" I do not mean any visionary scheme of government, but the exercise of that sane, sober and wise judgment which is always ready to throw away antiquated machinery and methods and adopt the latest, most efficient, most beneficent and most economical instrumentalities for accomplishing the greatest good, whether it be in public or in private affairs.

Is there any good reason why political institutions should not change with the changing demands of modern social and economic conditions? I believe not. The leaven of this new idea of modern business methods for modern public business has taken root in the public mind. The people are everywhere talking it over, and I am one of those who believe that the people can be trusted to reach correct conclusions about their own public business when they are given adequate opportunity to study and discuss any subject. As Wendell Phillips said, "The people always mean right, and in the end they will have it right." The people of Kansas are progressive; they know what they want; and give them a chance at the ballot box and they will get it. I am not in sympathy with the idea that any public officer knows better than the people themselves what they want.

I am not asking at this time that any legislative action be taken on this subject, but am calling your attention to this subject now that you may carry back to your people the idea herein expressed and talk it over with them for the next two years, to the end that when you come back to these halls at that time you may know and be of a mind to execute the will of the people of this state on this subject.

I want to thank the members of the legislature of 1913 for their sincere and earnest efforts to legislate for the best interests of the state, and for the uniform courtesy which they have

extended to me, and to assure them of the high personal regard in which I hold each and every senator and representative.

Respectfully submitted,

GEO. H. HODGES, Governor.

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New Type of State Government

What shall it be? The only thing certain is that the present state constitutions will be superseded by something different. What this different thing shall be, or in what ways it shall be different from the present form of state government, is not agreed upon at the present time. Governor O'Neal, of Alabama, advocates greater power to the executive. Many, by analogy, advocate a commission form of state governments similar to the now established commission form of city government. Some advocate the improvement in the commission form of city government known as the "city manager" plan, applied to states, which would be the "state manager" plan.

Thinkers have been engaged on this problem only a comparatively short time, and probably an infinite variety of proposals will be made. However, let us consider principles and not details, and we shall see that varieties will not be so numerous.

In the first place, the new government must be representative of the people, and readily responsive to the people's wishes. The present method of district representation, and majority representation, is only crudely representative. Many considerable blocks of voters are not represented at all. The I., R. and R. grafted on the old form of state government makes it vastly more responsive to the wishes of the people than before, but yet, with the old crude methods of choosing representatives, and the old inefficient plan of government, state government is still unsatisfactory. The old *frame* of government must be put aside, and a new one sought.

The commission form, in which each commissioner has an administrative department, is now recognized as being defective, because of the difficulty of selecting technical talent by popular elections. For cities, the "city manager" plan is now regarded with more favor than the purely commission form, the difference being that the commission is a legislative body only, except that

it also selects a city manager, who selects the city administrative officers, who serve under him, but all are responsible to the commission. This looks like getting far away from democracy; and so it would be if the I., R. and R. were not regarded as a necessary part of this plan. Without the "democratic trinity," this plan would be highly aristocratic and unresponsive to popular demands, and might lead to greater corruption and machine rule than we have had in the past. But the initiative, referendum and recall give popular control, while the concentration of power conduces to efficiency.

But will the ideas expressed in the preceding paragraph, which are working out so successfully in city government, "fit" state government? Perhaps experience will finally be called upon to decide, but theoretically there are reasons for doubt. It is not well to jump to a conclusion that a plan which works well in one field of government must necessarily work well in another kind of a field.

City Charters and State Constitutions

A city charter and a state constitution are very different things. A radical political difference between a state and a city is that a state has inherent or original political power; while a city has only the powers and privileges that are given to it by the state. However, this fact does not help us to determine what form of government will be most successful in either, provided the city is given full freedom to select a form of government.

Territorial extent is the most striking difference between a city and a state, and this may or may not help to determine the best form of government suitable to each. The people of a city may be as heterogeneous as the people of a state, or even more so. The interests of a city may be as diversified as those of a state. But territorial remoteness of one interest from another in a state makes regional representation in a state government more important than in a city government. Hence, while the "general ticket" or "at large" plan of electing representatives in cities has succeeded fairly well, it is not favored for states. However, proportional, or exact representation, achieved by means of the single transferable ballot, will give much truer representation of the people of a state than regional representation.

The problems of government in a state are quite different from those of a city. The government of a city "touches" its citizens much more frequently and more intimately than the state government does. Such vital things as water and light, either supplied or controlled by the city government, enter every home of the city. Every time we step out upon the street the city government "touches" us in the condition of the streets, public order upon the streets, the regulation of local transportation, etc. The chief functions of the state are supervisional, rather than the supplying of services. The state says what corporations may or may not do. It establishes standards for education, public order, the administration of justice, etc. Its functions have recently expanded in the direction of regulating railroads, building and maintaining public highways, and other broad services not formerly attempted. It maintains penal and eleemosynary institutions, and many states are now rapidly expanding along the line of public health activities. There seems to be scarcely any limit to what a state may do, but it seems to be certain that a state will never supply those intimate services that a city does, as the care of streets, the supply of water, light, etc.

Here is indicated the type of mind required to deal intelligently and ably with state problems. We also know the condition of unpreparedness of the average state legislator; also the haste and excitement during the brief legislative terms—conditions favorable to crude and hasty legislation, and the supremacy of political machines.

Commission governed cities require constant service of the commissioners, who are the makers and the administrators of ordinances. In "city manager" cities, ordinances are made by the commission, and they are administered by the commission's agents (the city manager and his appointees), who are under the complete control of the commission. This simple machinery takes the place of the awkward and bunglesome common council, select council, mayor and numerous elected city officers. If this means anything in the way of an improved state government, it means a *simplified* state government essentially as follows: A small, single-body legislature, in constant service, with sufficient compensation to attract the best talent, and appointed rather than elected state administrative officers.

The old-fashioned city charters are rapidly being laid aside for the new type above mentioned. The laying aside of the old-

fashioned state constitutions for a new type must soon begin. And we hope that the new type of state constitution will be confined to the *frame* of government, and not contain any legislation. A constitution should direct how laws shall be made, and laws themselves should be made only by the process there described. Making laws is a serious business, and it should be a deliberate process. Therefore, it should not be done by a miscellaneous lot of men, without preparation for such a responsible task, in a session limited to 40, 60 or 90 days every two years, under no control except that of the political machine.

The Old State Dignitaries

What shall become of our accustomed state dignitaries, the turbulent house and senate, etc.? They can well be spared, if we can devise a better plan of state government. And can't we? We are rapidly improving our city governments, where centred the greatest corruption, the weakest part of the American system of government. Can we not improve our state governments, against which the chief complaints are awkwardness and inefficiency?

We want efficiency. How shall we get it? Evidently from a small body of men prepared for their duties. We want the mind and desires of the people truly represented. This can be done by proportional, or accurate representation by means of the single transferable ballot better than by district representation by majorities. We want the representative body to be responsive to the people. This is secured by the initiative, referendum and recall, which, however, will seldom if ever be called into use if representation is true and accurate.

This for the making of laws. How about their administration? Administrative ability is rather rare, and not easy to find. Few can recognize it. When it is selected by popular election, success is usually by accident. The best administrators are seldom good speakers—seldom “popular” in the way of vote-getting. Then is it not better that a financier for state treasurer, an education administrator for superintendent of public instruction, etc., be selected by the above mentioned small legislative body than elected by popular vote? And how about a governor? What do we want a governor for, anyway? The presiding officer of the legislative body is the proper one to sign laws, and neither he nor any governor should have the veto

power. Only the people should have that, thru the referendum. What else would there be for a governor to do? The legislative body would represent the people, and it should be the government, subject always to the direct will of the people whenever they wish to express it thru the initiative, referendum or recall. This body should select the heads of administrative departments, such heads being responsible to the legislative body, which body should have the power, not only of employment, but of dismissal at will of said heads of departments, and said heads should appoint their own subordinates. They could not reasonably be held responsible without the power of selecting their subordinates.

Constitution Only the Frame

This is intended to be only suggestive of the new type of state government. The new constitutions should contain nothing but the *frame* of the government intended. It should state what officers the government should consist of, how each shall be elected or selected, the duties of each, the people reserving for themselves the I., R. and R.

It is presumed that any new constitution will grant to municipalities and counties the fullest measure of home rule, with the local I., R. and R. Then local politics (policies) would be kept separate from state matters. Then there would be no interlocking of local and state political machines—if there would be any machines at all. Such complete segregation of local from state government would accelerate the rather rapidly progressing separation of national politics from state and local affairs, which is very desirable. Local policies should be decided and local public affairs should be managed as local business matters, which they are. State policies the same, and national policies the same, each in its own sphere. If your opinions in these matters happen to line you up with the same man in local affairs, state affairs, and national affairs (which is rather unlikely), then your crowd would naturally be the same political party all along the line. Political parties in the past have maintained their identity solidly in these three spheres, but not on a rational basis. As men become more rational in politics, the tendency is to align independently in these three spheres, and indeed to act independently on any proposition in any or all of these spheres. This feeling of independence from former

parties will help us to get a better, more rational, and more efficient type of state government.

The new type of state government will probably be worked out in future state constitutional conventions. The only other way is by state initiative, and it may be done in this way in Oregon, and possibly in some other states which have the initiative. Constitutional conventions were urged in many state legislatures last winter. Indiana and South Dakota are the only states that have a convention scheduled, and they are provisional. The question of a state constitutional convention will be voted on in these states in November, 1914. If carried, which is probable, the convention in Indiana will meet in 1915, and in South Dakota on a date to be set by the legislature. The New York constitution provides for a constitutional convention in 1916. Other states will doubtless call conventions before many years, but we hope that progress will be slow and deliberate. If Indiana and South Dakota should embrace their opportunity, they can establish the future model. If not, the model will be worked out by other states. Sooner or later the true type will be found, and then it will spread from state to state.

Equity Series. 15:156-61. July, 1913

Problem of State Government

Our Congress was modeled after the British Parliament of that time. The parallel is not exact, but general. There was an effort in our constitutional convention to make the term of our United States senators for life, like the members of the English House of Lords, but it failed. But the indirect method of electing senators was purposely to make the senate less democratic—certainly less *directly* democratic—than the house.

State governments copied the two-house legislature, the elective chief executive, but, unfortunately, they made the other executive officers elective instead of appointive. The president appoints his cabinet, but governors cannot appoint their state officers. Popular election of state officers was supposed to be a concession to democracy, but it greatly impairs efficiency, because the responsibility for the state administration is thus divided among many elected officers instead of being concentrated in the governor.

The popularity and great success of the commission form of government in cities has invited our thought anew to *plans* of government. We see that the commission plan abolishes the two legislative houses and combines the legislative and executive functions in a commission usually of five. Here is a radical concentration of both legislative and executive power and responsibility. Nearly always the initiative and referendum go along with this concentration of legislative power as a control; and the recall as a control of the executive power.

Commission Government for States

Talk with any thinking man who has observed the commission plan movement, and mention to him the defects and inefficiency of state government so plain to every one, and he is likely to say that we should extend the commission plan of government to states. "Commission government for states" is becoming a popular expression, and therein will be a danger if we are not careful, for there are better things possible than the present commission plan of government for cities.

Not long ago the leading advocates of the commission plan for cities hesitated to recommend it for any city above 100,000 inhabitants. But it has been in successful operation in Memphis, Tenn. (population, 131,105), since 1909, and in Oakland, Cal. (pop., 150,174), since 1910, and in Birmingham, Ala. (pop., 132,685), Omaha, Neb. (pop., 124,069), and Lowell, Mass. (pop., 196,294), since 1911; and in New Orleans (pop., 339,075), and St. Paul (pop., 214,744), since 1912. The tendency is for larger and larger cities to adopt the commission plan of government.

But the matter of making such a radical change in state government as this would be is a serious one. However, some change is sure to be made. So let us take the present prevailing plan of state government and in imagination make a step-by-step modification, and see where it will lead us.

Modifications Step by Step

Let us begin with the legislative branch—our thought is now accustomed to "branches" of government, but our evolution may lead us to a consistent *whole* in government, instead of branches. And we find that the legislative "branch" is subdivided into two branches, the senate and house. All progres-

sive thinkers now agree that there should be only one house—but *which* house? Many superficially say, "abolish the senate." But why? Why not abolish the lower house and keep the senate as the single house? Indeed there is better reason for this, because the growing sentiment is not only for a *single* house, but also for a *small* house, and the senate is always the smaller house. Here we can compromise, and while we are reconstructing state government, abolish *both* houses and put in their places a new chamber different from either.

Basis for Representation

In constructing the new single chamber, the question at once arises, what will be the basis for representation? Will the county be the unit? or a district containing approximately a given population in contiguous territory? Both houses of our present legislatures are made up in the latter way. Counties containing large cities like Philadelphia, New York or Chicago send many senators and representatives to the legislature.

The most profitable thing we can do under the head of basis of representation is to look at the facts as they now exist. The table on page 78 will show the population and number of counties in each state, and the representation of said population in both houses of each legislature, and in the lower house of congress—the one based on population.

A glance will show the heterogeneous condition concerning legislatures. Note the number in the lower house in New Hampshire, for example, and in Vermont, and compare with the population of the states named. It will be noted that, of course, the number of congressmen from each state is in proportion to the population, and this relation is necessarily uniform, one state with another. But legislative representation is on a different basis in every state. And in the older states particularly, the basis of representation in different parts of the same state varies widely. For example, see an exposition of the irregular legislative representation in Delaware, on page 117 of April Equity. It is there seen that the value of a vote for a legislator in different parts of that state varies from 1 to 14½.

Should a representative represent 1,000 population, 10,000, or 100,000? This, of course, is an arbitrary matter. We are planning for a single legislative body for a state, and we are seeking

States	Popula- tion 1910	Number of Counties.	Legislature		Mem- bers of Con- gress.
			Senate.	House.	
Alabama	2,138,093	67	54	99	10
Arizona	204,354	14	23	35	1
Arkansas	1,574,449	75	35	100	7
California	2,377,549	58	40	80	11
Colorado	799,024	62	35	65	4
Connecticut	1,114,756	8	35	258	5
Delaware	202,322	3	17	35	1
Florida	751,139	48	32	71	4
Georgia	2,609,121	46	44	184	12
Idaho	325,594	27	24	61	2
Illinois	5,638,591	102	51	153	27
Indiana	2,700,876	92	50	100	13
Iowa	2,224,771	99	48	104	11
Kansas	1,690,949	105	40	125	8
Kentucky	2,289,905	120	38	100	11
Louisiana	1,656,388	61	41	119	8
Maine	742,371	16	31	151	4
Maryland	1,295,346	24	27	101	6
Massachusetts	3,366,416	14	40	240	16
Michigan	2,810,173	83	32	100	13
Minnesota	2,075,708	86	62	116	10
Mississippi	1,797,114	79	45	138	8
Missouri	3,293,335	114	34	142	16
Montana	376,053	31	31	85	2
Nebraska	1,192,214	92	33	100	6
Nevada	81,875	16	22	53	1
New Hampshire	430,572	10	20	405	2
New Jersey	2,537,167	21	21	59	12
New Mexico	327,301	26	24	49	1
New York	9,113,279	61	51	150	43
North Carolina	2,206,287	99	50	120	10
North Dakota	577,056	48	50	111	3
Ohio	4,767,121	88	33	123	22
Oklahoma	1,657,155	77	44	99	8
Oregon	672,765	34	30	60	3
Pennsylvania	7,665,111	67	50	207	36
Rhode Island	542,610	5	38	100	3
South Carolina	1,515,400	44	43	124	7
South Dakota	583,888	57	45	100	3
Tennessee	2,184,789	96	33	99	10
Texas	3,896,542	234	31	109	18
Utah	373,351	27	18	45	2
Vermont	355,956	14	30	243	2
Virginia	2,061,612	120	40	100	10
Washington	1,141,990	39	41	96	5
West Virginia	1,221,119	55	30	86	6
Wisconsin	2,333,860	70	33	100	11
Wyoming	145,965	21	27	57	1

the best size for said house. It would seem that a small state could get along with a smaller body than a large state, but a glance at the figures given above will show that such an idea has not heretofore been prevalent.

The commission-governed cities have, almost uniformly, five commissioners. In some states the smallest commission-governed municipalities have only three commissioners. The new Pennsylvania law provides for five commissioners for all cities from 10,000 to 100,000 population. Cities below 10,000 or above 100,000 do not come under the law. The point is, that the number of commissioners is constant (five), while the population of the municipalities to which the law applies varies from 10,000 to 100,000. We are not indulging in theory, but merely presenting facts.

What light do these facts throw on the desirable size of a similar body to govern a state? Plainly, it need not be strictly "according to population"; tho it should probably be roughly so. Certainly the members should be sufficiently numerous to satisfactorily represent the different elements and interests in the population of the state—this better than the different *sections* of the state. Sectional representation is fraught with many evils. It is not acres, nor mountains, nor rail fences that need representation, but *people*; and people who have the same sentiments or interests to represent may live in different parts of the state. That is the reason that counties do not make the ideal basis for representation. The ward system of representation in cities is being abandoned.

Mode of Election

The commission-governed cities elect their commissioners "at large," ignoring ward lines. This is the "block vote," each voter being entitled to vote for a block of five, the five candidates receiving the highest votes being elected. This is an improvement on the plan of ward representation; but grave evils would result where partizan lines are closely drawn, as in state elections. The chief evil would be that it would give *all* the members of the single house to the majority party in the state. District representation, with all its narrowness, would be preferable to this. Readers of this magazine are familiar with plans for preferential voting, resulting in an effective ballot for every voter, and true and complete representation of every considerable

portion of the electorate. This will avoid the evils of both the "block vote" and the district basis.

Size of Single House

We are still facing the question of how many members should this single body for the government of a state consist? Should it be 50? Too many. Too unwieldy for a "commission," or whatever you wish to call the body which is to be in constant and responsible service to the state. Some say it should be an odd number, to make ties impossible. Shall it be 25? Still rather large. 15? Perhaps this is near the number of greatest efficiency, tho we need not hope that the different states will adopt the same number. But let us always bear in mind that small numbers, carefully selected, favor efficiency.

Functions of the Single House

Our legislatures are legislative. The commissions which govern commission-governed cities combine executive and legislative functions. Here we have seen demonstrated the fallacy of our old doctrine of separated governmental functions. In the new state government also we can and will demonstrate this fallacy, and also go a step farther, and combine in one body, legislative, executive and judicial functions. Perhaps I should not say judicial *functions*, but, rather, a control over the judiciary. Do not be frightened. A study of the functions and history of the English judiciary plainly indicates that the judiciary should not be independent of and above the new state government, but a creature of and subordinate to it. It goes without saying that a state government of few members and great powers must be subject to the controlling powers of the initiative, referendum and recall. With this safeguard, we can plan only for efficiency.

With an effective ballot, giving every faction of the state representation according to its members, the representative body would do according to the interests and wishes of the electorate, much as tho every question were submitted to direct vote. Representatives thus chosen, if efficient and true to their trust, would be likely to be re-elected time after time, as most of the Galveston commissioners have been, and thus the state would have a more or less permanent, experienced and "seasoned" body of governors.

It would be folly to attempt to detail the functions of such a body at this stage of development of the idea. However, the experience of commission-governed cities and of "city manager" governed cities will throw some light on the problem. And the experience of the first state that thus modifies its government will do much in blazing the way for those which follow. It seems, at the present writing, that the entire legislative power, and the power of extensive appointment of administrative and judicial officers, could be safely and advantageously placed in this small body of, say 15 governors, in constant service and in frequent session.

A Glance at the Cities

For commission-governed cities, five commissioners are elected on a general ticket, one being designated as mayor, but his duties are similar to those of the other commissioners, except that he presides at the meetings, but he has no veto power, and he votes at the meetings just as the other commissioners. The ordinary city officers are appointed by the commission or by individual commissioners, and they are responsible to their appointers. The commission passes ordinances, and the ordinances are executed by the commissioners or their appointees. The city-manager plan provides for the appointing of a city manager by the commission, the manager appointing all subordinate officers, and executing all ordinances directly or thru his appointees, he being responsible to the commission. In this plan, the commissioners are prominent business men, giving only a small portion of their time to the city, for a nominal salary, their duties being to pass ordinances, select a city manager, determine the policies that he is to carry out, and hold him responsible to them.

Do these plans suggest a plan of state government by a commission or board of state governors? We think so. But the members of the state board should be men of superior quality, who can give their entire time to the service of the state, and receive an adequate salary therefor. One could be designated as governor, presiding at meetings, but with no veto. To what extent this board could take the place and assume the functions of the various state commissions now in existence, as a state railroad or public utilities commission, only experience can determine.

A Glance at the Average Legislature

One thing seems certain: That the people of this country will soon find a way to stop state lawmaking by legislatures as at present constituted. No observing person can visit a legislature in action without concluding that it is a very poor way to do the state's business. First, in material: Not one legislator in a hundred is properly prepared for his duties. Most of them are honest enough, but it requires much more than honesty to make laws for a state. It is not the fault of the men, but it is the fault of the system that puts them there.

Second, limited sessions at rare intervals: Most of the states have legislative sessions only once in two years, and a few every four years—some every year. The length of session is limited in most of the states, some to only 50 days. The organization and other necessary formalities of two large houses require considerable time. This unwieldy system, with untrained material, gives trained politicians their opportunity. The session is well advanced usually before any great progress is made. As the end approaches, there is much of importance to be done, and then, as the Philadelphia Ledger says, there is "lawmaking in hot haste." We call legislatures *deliberative* bodies. Let any one visit any legislative body as now constituted, let it be congress, a state legislature, or a city council of the old type, on the last day of its session, and ask him if he thinks it is a "deliberative" body!

What We Want

We want real deliberation. We want real responsibility. We want men for such duties who are prepared for them and we want them adequately paid. We want to put a stop to "law-making in hot haste." We want laws turned out like decisions of the supreme court, only after the maturest deliberation, by men specially trained and chosen for the task. But we want the body much nearer to the people than the supreme court is, and it should be subject to control by the people if necessary, by means of the initiative, referendum and recall. We want no laws that must be rushed thru two houses by a given time. We want real deliberation, with broad investigation in the preparation of laws, so that they will not be "half-baked," but ripened and mature. Then we will not need so many laws—because they will be better.

With the recall, we can give executive officers more freedom and discretion. With the initiative and referendum we can safely and profitably put the law-making power in fewer and abler hands. Instead of a season of a few months every two years during which from 500 to 3,000 "hot-haste" laws are made, we want *no* set lawmaking season, but we want a body of trained men in service all the time, who will promulgate a new law *only* when needed, which would result in perhaps less than one-tenth the number of laws that the present system burdens us with. According to the Philadelphia North American for June 25th, the club used in Harrisburg to beat out the kind of laws desired by the politicians was, "vote right or get nothing from the administration." In this we see the shadow of the district representation evil, as well as many other evils. We want a better system, which will bring into service better, tho fewer, men, and give us better, tho fewer, laws.

How to Get It

How shall we get an improved system of state government? Not by being forever satisfied with our century-old system. The commission government of cities is an object lesson, and still further plans of local government are destined to be introduced in the near future. These things have called attention to our defective system of state government, and from year to year dissatisfaction with the old plan will increase until an improvement shall be made.

Hon. U. S. U'Ren has been trying to introduce quite an elaborate improved system of state government in Oregon thru the initiative for several years past, but it has not yet been accepted by the electorate. It establishes a single house of 50 members, elected by an ingenious system of proportional representation. It is his purpose to put it before the electorate again in 1914. We would prefer a smaller house, and a simpler system; but it now seems likely that Oregon will be the first state to actually put into operation a state legislature of a single house.

As noted in last Equity, page 122, Governor Hodges, of Kansas, has proposed a smaller legislature of a single house, but he omits the necessary control features, the initiative, referendum and recall. Also, he cannot reasonably expect the legislature to commit suicide. The agency thru which such a change in state government must be gotten is the constitutional initiative, or a

constitutional convention. Kansas has not the popular initiative in any form, and a constitutional convention is not yet seriously proposed.

In Colorado a constitutional amendment is being initiated, providing for fewer elective state officers and a state manager, but it does not affect the legislature. It is a Short Ballot measure, good as far as it goes, but it misses the chief feature to be desired, and that is a radical modification of the present awkward and unsatisfactory legislative system. As Colorado has the instrument, the initiative (which Kansas has not), Colorado is a favorable state in which to push a complete reorganization of state government.

In Minnesota there is some sentiment in favor of a modification of the present state government, but the sentiment has not yet become crystalized nor dynamic. In North Carolina a commission is considering changes in the constitution, which may possibly affect the plan of state government. And when the commission is ready to report, an extra session of the legislature will be called. Among the many states in which a constitutional convention has been considered, Indiana is the only one in which a definite provision has been made. A vote on the proposition will be taken at the regular November election in 1914, and, if carried, delegates will be elected later. However, Indiana has been so backward in improved plans of city government and in regard to the initiative, referendum and recall, we fear that the convention, if it convenes in 1915, will not be sufficiently progressive to adopt any of the suggestions contained in this article.

We must look for a beginning in the reorganization of state government in those states which have the constitutional initiative, and in those states which will call a constitutional convention in the not distant future. Legislatures will not look upon the movement with favor. The most promising constitutional initiative states for this movement seem to be Oregon and Colorado. Arizona is too new with her present constitution, Ohio recently had a constitutional convention and adopted 36 amendments, and Maine has not the constitutional initiative. Pennsylvania, New Jersey and New York have been considering constitutional conventions, but we hope they will not actually come until this movement has sufficient strength to command serious consideration, and adoption in part at least, by the conventions.

The things desired:

Legislature of one house.

Efficiency favored by body of comparatively few members, say from 15 to 25.

Should be elected "at large," but not by the "block vote." A ballot system should be used that would give true representation to every considerable faction in the electorate.

Body should be in constant service, and members should be paid a sufficient salary to induce exclusive attention to public duties.

Powers should not be limited to making laws. If they truly represent the electorate, they could be trusted with the powers of the electorate, but subject to the initiative, referendum and recall. And we would hope that they would serve the electorate so satisfactorily that the initiative, referendum and recall would seldom or never need to be invoked.

Large power of appointment could be intrusted to this body, including regulative commissions, executive and administrative officers, and extending to the judiciary. The definite term plan for officers appointed by this body should not be adopted. Appointees should be under the constant and complete control of the appointing power. And the appointing power should be under the constant and complete control of the voters. Then we would always get true representative action.

Later: In a recent address, Prof. John R. Commons said the following:

The people can vote intelligently on two things: general principles, and confidence or no confidence in the experts commissioned to put the principles into practice. The first is the initiative and referendum. The second is recall of commissioners. The people cannot elect experts, because experts are not good vote-getters; but the people can pass upon them after seeing how they do their work. The governor is in a better position to select and appoint them, because he can look over the field and pick out the men best fitted. If he makes a mistake or abuses his power, the people can check him by recalling his appointee.

Such a scheme of government would offer a field for the student, the investigator, or the expert, to train himself for public service. Public business nowadays requires engineers and accountants to protect the people against great corporations; chemists to protect them against adulterated foods and drugs; agricultural experts and business organizations to protect the farmers in raising and marketing their products, and so on. If these experts do not serve the people they will serve the corporations and special interests.

At the same time such a scheme would prevent the educated classes

from running the state. The people should not be governed by experts any more than by millionaires or political bosses. The problem of democracy is how to make wealth, politicians and experts the servants instead of the masters of the people. This can be done by the initiative and referendum, civil service reform, appointment of commissioners, recall by the people.

Our scheme is that the *small single house* shall appoint all commissions and experts, and also all state administrative officers, probably including the governor, if a governor should be needed. Probably it would select one of its own members as president of that body, to be known as the presiding governor, the body to be known as the board of governors. This body of from 15 to 21 members, if chosen in a manner to truly focus the electorate, would be the proper body to make laws, appoint administrators of the laws, including the judiciary, and appoint commissions and all experts for special service, unless the selection of experts be left to the administrative heads of departments. In any scheme of government the I., R. and R. should exist among the primary rights of the people; but in a scheme like the above the occasion to use them would be very seldom. The consciousness on the part of all officers that the people can use them at any time would keep them constantly up to the mark of best service.

This plan of government would stop graft and corruption and give efficiency. It seems that Professor Commons' plan would leave the legislatures just as they are, which is a grave defect of any progressive plan.

COUNTY GOVERNMENT

First Conference for Better County Government in New York State, November 13-14, 1914. Proceedings. pp. 65-73

County Manager Plan. Richard S. Childs.

Consider now what the people of a county in New York state are up against if they seek to control the present type of county government. There is the board of supervisors, the county clerk, the county treasurer, the county superintendent of the poor, the sheriff, district attorney and coroner and the county court. Sometimes there is a surrogate and county comptroller in addition. Seven county governments or more; for the coroner, elected by the people, is a separate government all by himself, with no one who can give him orders, no one who can, except on paper, compel him to do anything. The sheriff is another little county government all by himself, and so is the county clerk and all the rest. All these seven governments are, to be sure, loosely connected up to each other by the moral and latent power of certain memoranda called laws, the exact nature of which they oftentimes seem to know little about, the real bonding force of the county being often tradition rather than law.

Can Those Properly Qualified Officials Be Chosen by Election?

To control the government of the county as now organized the people must select competent and right meaning officials for all these offices on election day. The voter in his polling place must run his pencil down the list of candidates for each of the seven or nine offices and pick a well qualified person. This means that he must know something about the qualifications required for each individual office and the qualifications of fourteen, sixteen or eighteen candidates. A man who will make a good county treasurer might be a very bad man to choose for coroner, and vice versa. That is the theory of the voter's part in county government, but that is not all. After election the voter is supposed to scrutinize the conduct of each

of this list of officials and see if each official maintains a correct technical standard. For all the offices are technical offices, with the exception of the supervisors. To be a competent critic of the technical ability of seven, eight or nine such varied officers with such varied functions implies an unbelievable amount of acquaintance with county government in its detailed management on the part of the voter.

But we are not through even now with the work which the county plan requires of the voter. Not only must the voter bring his share of public opinion to bear upon the conduct of each of these seven, eight or nine little county governments, but if one of these little governments quarrels with another little government the voter must take notice of the fact and by intelligent public criticism induce the little government which is in the wrong to yield to the little government which has the right side of the dispute. In other words, the voters of the county must not only stand over each of these seven little governments and make them obey, but must make them agree in their obedience and work harmoniously for the common good. The people of the county constitute the one place where the big lines of direct control are focussed. They are in theory the unifying force and the only one.

The Need for a Strong Executive

Now, to make these seven governments work in unison is a task which would keep a strong chief executive pretty busy sometimes. A committee or board with complete power over these seven little governments would probably not be nimble enough for the task and would end by leaving most of the details to some one person selected by them to give all his time to the task. A group, let us say, of 100 persons meeting under the forms of parliamentary law, would be baffled even more than a small committee, and, in fact, would be compelled to do the work through committees in order to get it done at all. A great mass meeting of 5,000 voters would experience still greater difficulties in trying to handle details. In fact, it could do hardly anything except to create a committee and go home. The people of the county, too numerous to meet in a single hall, scattered, moreover, throughout the county over a considerable distance, having no single common medium of communication, being not even subscribers to the same news-

papers, are many times clumsier than the mass meeting. Yet to the most clumsy of all organisms, the electorate, you give the task of unification and harmonizing, which is too much for even a small committee to accomplish except with a suitable instrument in the shape of a single executive.

This thing is ridiculous. The people simply can't do it. Our people are as intelligent as any other, but no people on the face of the earth can do it. We have given the people an unworkable instrument, and it is no reflection on the people to say that they don't rule and cannot rule under such circumstances. The practical result of the situation is that 99 per cent of the people give only an offhand intermittent attention to county government, and the remaining 1 per cent, who get into the heart of the matter, become the real governing force of the county and are given the name of politicians. A politician is simply an expert in citizenship. To make the politicians give way to the people at large the game of politics must be simplified. Politics is the proper business of every citizen. It should not be one of the learned professions. It should not be so complex as to be a profession at all. It is not true that every citizen ought to know what he is doing on election day; it is only true that politics should be so simple that every citizen *would* know what he is doing on election day. We can't make the citizen take more interest in a complicated and uninteresting thing like county government, but we can make county government so simple that the motive power of popular interest will be sufficient to operate it.

Politics Should Be Made Simple

So, to make a long story short, the modern political scientist demands that politics shall be made primitively simple. It is easier for the people to control one government than nine governments. That is the theory of the "unification of powers." It is easier for the people to control three or four big elective offices than eight or nine little ones. That is the theory of the Short Ballot. The way to keep unfit men out of public office is to refrain from electing them. The way to refrain from electing them is to elect no more officials at one time than the citizens can get a good look at. In a small, rural county where everybody knows every one else, the Short Ballot is not quite as important as in large cities and states, but the unification of

powers is important everywhere. A government in which all parts are properly co-ordinated under the direction of a single controlling brain will be an easier government for the people to control than the loose-jointed, ramshackle of mutually independent powers which we now call county government. Only by uniting and consolidating the powers of the county can we get away from supine, jellyfish disobedience. Present county governments are something like an automobile with a separate motor at every wheel, each going its own gait, pell-mell down the road, with Mr. Voter in the driver's seat hanging on with a sickly smile while he tries to control a dozen levers with only two hands and feet.

County Needs a Head

Now, if we can keep away from the old fashioned doctrinaire theories which have made so much trouble for this nation in the last hundred years, we should be able to agree that the county, like any other organization, private or public, needs a chief executive with appointive power over all other administrative officials. Not until all the officials have a single common superior on the job all the time, with plenty of authority over them, can they be compelled to work in mutual harmony. Any notion that the arms and legs of the county can make each other work harmoniously by the threat of mandamus proceedings and similar legal resorts to those printed memoranda called laws, is thus discarded. But, of course, we are not going to vest the government of the county in a single despot elected by the people for a fixed term, for that system would have obvious faults of its own, inasmuch as the despot would have elective executive held in more or less restraint through the necessity of obtaining the co-operation of a board of supervisors corresponding to the mayor and council of old style city governments. There has been ample experience to show that the attempt to secure a good chief executive by popular election is a failure. It always gives us a transient amateur who never really learns his job, because he is not allowed to stay on the job long enough. It always results in the development, under such a shifty chief executive, of a "system" among the permanent subordinates, a "system" which defies the control of these transient executives and thus defies the control of the people who elected that chief executive.

Example Set by the Short Ballot Cities

The large cities have been all through that phase and are abandoning the elective chief executive, or mayor, and moving onward to the type of government in which the chief executive is appointed and held subject to the continuous supervision of the joint mind of a board or commission. Accordingly, let us look forward to a time when counties will be governed by a small board of supervisors, a board small enough so that each member will be a really important officer with power enough in the government to make it worth while for the people to scrutinize the candidate carefully and watch him after election. A board of three or five or seven will be better than a board of twenty or twenty-five or thirty, because you must have considerable power attached to a public office before it will attract candidates of first-class talent and before it will be conspicuous enough to catch the public eye.

Let this small board of supervisors possess all the powers now vested in all officers of the county, except the county judge. Put upon them the responsibility for all of the work of the county. Permit them to hire their county manager from anywhere in the United States and to pay him whatever salary they believe necessary in order to secure the requisite ability. The county manager will appoint, in turn, and control all other county officials and employees, subject to civil service regulations. The county manager will have no power of his own, no independence of his superior. He is their executive agent. If the new board of supervisors tells him to take money out of the treasury and spend it for peanuts, he must spend it for peanuts or take a chance of losing his job. The supervisors who hire him can also fire him.

What a "County Manager" Would Do

The county manager, naturally, would be expected to relieve the supervisors of all detail, and if they found him trustworthy and devoted to their service they would probably leave him considerable discretion, but they would have to take the responsibility for him if he proved to be foolish or weak or dishonest. This new board of supervisors would have the power to levy taxes and spend them. When it was spending money it would have to remember that it must raise that money and face the

public resistance to taxes. On the other hand, in trying to keep down taxes it would have to remember that the people would criticise it if it went too far and starved the county service. It would be continually between two fires; the demand for good service and the resistance to taxes. No matter what goes wrong the supervisors, under this scheme, have power to fix it and can fairly be held responsible if they fail to have it fixed after it has been called to their attention.

Local Nullification of State Laws

In this plan of government one fault inherent in the county would still remain. The supervisors would have two masters, i. e., the people of the county and the state government, which is continually making laws for them to enforce. The work of the sheriff, district attorney and the county judge is really not county work at all, except geographically. It is really state work. Although elected by the people of the county they are working for the people of the state. We had an interesting instance of that recently when the district attorneys of all the various counties in New York state were up against the proposition of prosecuting the alleged frauds on the state highways, and it was said that they could not be relied on to handle that work because of the expense. There was a case where some of the counties flatly declined to burden themselves with their responsibilities to the state at large, and there was no effective way of making the counties obey those printed memoranda called laws, which I have previously referred to. The local nullification of laws through the failure or hostility of the counties is a common phenomenon in America, and to that is due much of our disrespect for the written law. To that is due much of the careless passing of unpopular laws at Albany, where the assemblyman cheerfully explains: "Well, it won't be enforced." The governor by his approval helps to make the law, and it is made his duty to see that the laws are enforced. Yet the judges, district attorneys and sheriffs, who are nominally his agents, are put where they can laugh at him and the governor is helpless, unless the situation gets so bad that he feels justified in utilizing the rarely used whip which the constitution gives him in the power of removal of such officers. In actual practice, as we know, the governor rarely exercises any influence on these nominal agents of his, and they go their own sweet way.

In the national government we see on a vastly larger scale the correct method of handling these functions. The president appoints the judges in all the districts and he appoints the attorney-general, under whose direction are all the district attorneys and all the federal marshals and federal prisons. That is the obvious, logical plan. New Jersey has part of it in operation, inasmuch as the governor appoints the judges and district attorneys, and while the sheriffs are elective the governor has an emergency power to do their work by other methods if he cannot secure co-operation from the sheriff. I cheerfully concede that to give the governor of New York the right to appoint county judges and to give to an appointive attorney-general the control of a state-wide department of justice has a strange and novel sound, and the people of this state would have to get used to the sound of the thing before we could hope to organize on these lines. Until that time comes when the state will enforce the laws it makes and pay the bills we must be content with a county commission or board of supervisors which will undertake to serve the two masters with as much justice as it can.

One County Government; Not Several

Give to the people a single county government instead of seven, with a Short Ballot instead of a long one, with a few conspicuous elective officials instead of a lot of obscure ones—a government that has power to get results and can thus be held responsible if it fails to get results—and you will see the same marvelous revival of public attention that has been seen in every city that has adopted commission government. You will see the citizens of the county really knowing something about their county government, and you will see them discussing their public servants with intelligence. Then you will get in the county whatever kind of government the people of that county want. I don't say it will be good government. I don't say that it will be better than the present county government, but I think it will be a great deal better, just as the commissioned governed cities have almost all shown instant and marked improvement. Give a man a good automobile and you cannot guarantee where he will go in it. You can only guarantee that a good automobile will take him wherever he wants to go more surely than a loose-jointed, ramshackle automobile will.

But the most happy result to be obtained by the county manager plan is the wiping out of the rank injustice inherent in the present mechanism, where officials are damned for things they did not do and praised for things which they could not help; where good work goes unnoticed and bad work, too; where officials are blamed for things they could not help because the vital co-operation of some other county officer was lacking. There will be no more sheriffs who deplore the condition of their jails and cannot get money to make them right, and no more boards of supervisors who give the sheriff money enough, but can't make him spend it judiciously. When the lines of responsibility are clear and straight and simple, we will find our county governments in a new and brighter atmosphere, lighted up by the healthy scrutiny of the whole people.

Short Ballot Bulletin. 1: No. 7. 2-3. February, 1912

Personal Suggestion for a Model County. Richard S. Childs

Rules for planning a county or any government:

1. The tax levying and tax spending bodies should be one.
 - (a) So that it will have the power to raise money needed to give good service—if the public demands good service.
 - (b) So that it will have power to compel economy of service if the public demands low taxes.
2. The ballot should be short and the elective officers all conspicuous.

In other words, put the officials between two fires!
3. The power that makes the law should be obliged to face the public resistance to its enforcement.
 - (a) So that public resentment will act only on those who have power to amend the law.
 - (b) So that laws will not be nullified by local non-enforcement.

As a judicial unit the county enforces state-made laws. The people of the county should not have power to nullify a statute by electing a local judge, sheriff or prosecuting attorney pledged to ignore or soften a state law. A public sentiment hostile to the law should find no vent save against the local members of the legislature, who have power to correct the law at its source in the legitimate way. As county courts cannot set aside or

modify statutes the sentiment in favor of electing judges because of their practically legislative powers does not apply. Therefore let the county judges be appointed by the governor, let the court appoint its own clerk and its own sheriff to keep prisoners, execute warrants, summons and carry out sentences. Make the prosecuting attorney an appointive subordinate of the attorney-general of the state, who in turn should be appointed by the governor. Let the prosecuting attorney have as much of the sheriff's power as he needs to get witnesses and evidence and to make arrests.

Thus far we have roughly followed in the state the federal plan, the county courts being parallel to the federal district courts, the sheriffs to the federal marshals, the prosecuting attorney to the district attorney. The state will pay all the bills of the judicial system, maintain the courthouses, prisons, etc.

The county clerk does what the state requires. The state therefore should pay the bills and appoint the clerk, making him the local member of the staff of the secretary of state, who in turn should be appointed by the governor.

As a business unit for maintaining roads, schools, etc., the county is purely local in function and it should authorize the board of supervisors to do the work and collect the necessary taxes to pay for it. The supervisors should have power to hire and fire, for without this power they cannot compel efficiency in subordinates or be held responsible for the tax rate. They appoint their own treasurer, surveyor, road commissioners, etc.

Abolish the county auditor and establish a state examiner under the appropriate member of the governor's cabinet, with power to investigate and criticize any county management at any time and report to the public, but not to interfere or dictate.

In many well settled parts of the country there are no purely business functions of the county which could not easily and appropriately be taken over by the several cities and townships therein. This should be done where possible, whereupon the county as a political entity would disappear entirely. Nobody would mourn but the politicians, whose stoutest and most picturesque citadel would be destroyed.

World's Work. 26:274. July, 1913

County Commission Government

A short ballot and a simple and responsible government are hopeful political tendencies. There are two or three cities with managers and two or three hundred with commission form of government. Eleven governors this spring urged the principles of the Short Ballot in their annual messages, and the Governor of Kansas believes that "states as well as cities should be ruled by commission."

In the meanwhile in the counties, a most important but somewhat neglected field of government, the new idea has taken hold. On June 2d last, Los Angeles County, Cal., took advantage of a recent amendment to the state constitution that permits counties to try the simplified form of government. It leaves only three officers besides the supervisors to be elected: the sheriff, the district attorney, and the assessor. The supervisors appoint the other eight county officers from the eligible civil service list. The supervisors can, also, have as many or as few deputies, clerks, janitors, and the like as the county's business requires, instead of a number fixed by the legislature, as had been the case formerly.

The whole machinery that carries on the county affairs is not only given a chance to be pliable and elastic but it is at the same time greatly reduced and simplified. For example, formerly the sheriff and the constables were independent of each other, and as their duties overlapped they were in constant conflict. Now the constables are *ex officio* deputy sheriffs.

All the authority is in the hands of the supervisors and all the responsibility is upon them. The people can tell whom to praise and whom to blame, whom to defeat at the polls and whom to reelect; and the ballot has been so simplified that there will be little danger of the voters confusing the issue.

An additional purpose in putting the commission government in Los Angeles County, which may also be characteristic elsewhere, is the desire to get county "home rule," to free the county from rigid adherence to general state laws that have been framed at the distant capital.

The operation of the provision for a county road commissioner will be watched everywhere with great interest, for the method of road construction and maintenance, now universal in

the western states, by supervisorial districts and under the direction of the several supervisors, is a clumsy confusion of legislative and administrative functions that has had lamentable results upon rural highways.

Los Angeles County has entered hopefully upon a most interesting experiment that may very possibly be as important a contribution to democratic government as the commission plan has already proved itself to be in the cities.

Equity. 16: 53-5. January, 1914

County Problem

The county problem in New York state is more serious than most citizens realize. In fact, a very serious phase consists of this very lack of recognition. Within the last few years the administration of county affairs, at rather widely separated points, has been brought dramatically, but temporarily, to the attention of the public. When Martin H. Glynn was comptroller, one of his greatest services to the state was his general raking over of the boards of supervisors, county treasurers and superintendents of the poor in about five counties. The method of conducting public business in these places was unspeakably bad. In one county where maladministration had about run its course, the board of supervisors had practically abdicated its functions to an unbonded clerk, who proceeded to pay out the county funds with no other audit or sanction than his own sweet will. An investigation into his affairs led this official finally to suicide.

Work of a far more constructive sort is now being done by some of the same men in the comptroller's office, whose investigations several years ago led to numerous indictments. Also an exceedingly useful work is being conducted in the large county of Westchester by the Bureau of Research in Westchester County.

The secretary of this bureau, in a recent address, gave what seems to be a description of typical conditions in the counties of New York state, when he made this summary of his findings:

Complex and confusing masses of legislation affecting the different communities in varying degrees.

Inadequate, unsatisfactory and wasteful taxation systems. Two hundred and twelve paid tax officials performing the work of ten. Ten expert men

for salaries of from five thousand down to fifteen hundred a year would have performed that work much more efficiently and gotten the taxes collected with a very much smaller residuum of arrears to be collected by sale than these 212, who didn't know very much about it except how the other fellow had done it before them.

Inadequate and antiquated systems of accounting for public funds.

Violations, evasions, misrepresentations and neglect of the laws, by public officials—many of such irregularities unintentional, because the men did not know they were violating the law.

Unnecessary sickness and needless deaths from preventable diseases, due to inadequate sanitary inspection and control.

Waste and extravagance in many administrative departments.

Capable officials compelled to depart from or very freely interpret the law, or even to obtain special legislation to enable them to achieve efficient and economical service.

Realizing the growing importance of the whole subject of county government, the New York Short Ballot Organization has organized a series of conferences during the present winter, at which various phases of county government will be discussed and the men who have special information on particular subjects will be invited to address the members. One very successful meeting has already been held. The conference will devote considerable discussion to actual legislation to be introduced during the coming winter.

The constructive problem in New York state presents itself somewhat in this way: In the first place, the constitution blocks any thoroughgoing Short Ballot reform by a requirement that the county clerk, the district attorney, the sheriff and the register must be elective officers. It is probable, therefore, that one measure to be promoted in the near future will be a constitutional amendment which will permit the legislature to determine whether or not these county officers shall be elective *or appointive*. In this way it will be legally possible to secure the passage of alternative simplified forms of county organization, any one of which may be adopted by the people of the county by a referendum vote.

But even under the constitution as it stands, there is possible a certain measure of Short Ballot reform, and what is perhaps equally important, the greater unification of the official organization. New York is one of those few states in which the county is organized on the basis of the township plan of local government. The governing body of the county which is respon-

sible for the general financial management of its affairs, is composed of the supervisors of the various towns. In large counties like Westchester, Erie and Onondaga, the board of supervisors on this basis is an unwieldy body which has no continuous and intimate connection with the various county officers. It is this fact, perhaps, more than anything else, which explains the difficulties pointed out by Mr. Cartwright. No county officer really represents the unity of the county.

To remedy this condition it is proposed to present a bill providing for an optional form of county organization, in which the governing body will consist of a board of three supervisors elected at large. In order to give this board a point of contact with the rest of the organization, provision will be made for a county manager to act under their direction, who will appoint the superintendents of the poor and the county treasurer. Later on, if the constitutional amendment is passed, still greater appointing power may be conferred upon this officer, who will also be purchasing agent and budget commissioner and exercise in general the range of functions conferred upon the city manager in the cities organized under the new system.

National Short Ballot Organization

First Short Ballot County

When the great political turn-over took place in California in 1910, a legislature was elected which had been committed to a number of progressive propositions, among which was the Short Ballot principle. Soon the question arose in the party caucus: "How are we to apply this principle to counties?"

California has fifty-odd counties, varying in population from less than five hundred to more than five hundred thousand; there is also every conceivable variation of physical, social and industrial condition. The counties had all been governed in substantially the same way by "general" laws. But every one had its peculiar needs, so that, in order to avoid special legislation, the legislature had passed a number of "general" laws which, in the nature of things could only apply to a single county. This had become a nuisance.

Home Rule for Counties

Now the *cities* of California for over thirty years had enjoyed the privilege of managing for themselves all their strictly local affairs under the "home rule" provisions of the constitution and had thrived under the system. The counties, on the contrary, were enthralled by the theory, which is partly a fiction, that they were mere civil divisions of the state and must be rigidly controlled by state authority. But the legislature of 1910 saw the county problem in a new light. They knew that there were a number of subjects which the local electorate and the local authorities could pass upon far more intelligently than legislators coming from a section of the state perhaps seven hundred miles away. So they frankly submitted to the people of the state a proposition for limited constitutional home rule for counties, which made it possible for the counties to decide upon the structure or form of their own government, and to control the county officers as they saw fit. The amendment was adopted in October, 1911.

The procedure under which the new charter may be adopted is very similar to that by which home-rule charters may be submitted in the cities. On petition of fifteen per cent of the electors, or the initiative of the board of supervisors, an election of a board of fifteen freeholders is held. The freeholders then draft a charter which is submitted to the people for ratification. The charter must then go to the legislature for approval or rejection, as a whole (they cannot amend it in details), which in practice, however, is a merely formal step, as no legislature in thirty-three years has ever rejected a city charter or an amendment to one.

The Short Ballot Principle

The central feature of this amendment is the power which it gives the locality to determine whether the officers of the county, except the board of supervisors, shall be elective or *appointive*, and, if appointive, to determine the manner of appointment.

The first county to take advantage of the amendment was Los Angeles, which contains the city of the same name and has a population of about a half a million.

The charter which the board of fifteen freeholders presented to the people and which was adopted by them November 5, 1912,

is given here in full. It is absolutely a new conception of county organization.

In the first place, the old notion that everybody must be elected, is abandoned. Under the old legislative county law in California, the people in the large counties elected, every four years, the following officers: One supervisor for each of five districts, county superintendent of schools, coroner, public administrator, county clerk, district attorney, sheriff, auditor, treasurer, tax collector, assessor, recorder and surveyor. In addition to these, were a galaxy of elective constables and justices of the peace. The new county charter wipes off the ballot most of these officers because their duties are almost entirely ministerial or clerical. The board of supervisors, of course, are to remain elective as both the law and common sense require. The ballot will also contain the candidates for the sheriff, district attorney and assessor. By rotating the terms of the elective officers, not over three of them will be chosen in any one year, after the first election. This means that the county ticket in any single year will be reduced from thirteen to two, or at most, three officers.

A Unified System of Administration

In the second place, the charter provides for a unified, responsible system of administration. So long as all the heads of departments were elected, they stood, each upon an independent basis. The state law imposed upon the board of supervisors the duty of supervision, but it gave them no power to enforce their wishes. As a matter of fact, the only way of reaching these elective department heads was by going into court and suing them on their official bonds or convicting them of a crime. In other words, you had to prove the officer an out-and-out crook, or he stayed serenely by his job. There was no remedy for incompetence, inefficiency and bad official conduct, so long as the officer kept just within the law.

The Los Angeles charter changes this system radically. It makes the board of supervisors the center of responsibility by giving them the appointing power (under proper restrictions), and holds them responsible in all ways for the administration of county business. It thus adapts to counties the basic idea of commission government.

Other Improvements

The selection of appointive county officers, from lowest to highest (with certain exceptions), is to be made on the basis of competitive examination, under the direction of an independent civil service board. This, too, is an important advance, for it is only in a handful of counties throughout the whole country that the merit system applies.

The fee system is abolished. Officers are to receive salaries.

The constabulary is to be under the control of the sheriff. There will not be, as formerly, two sets of peace officers constantly disputing each other's authority.

A county counsel will be appointed to keep the various officers keyed up to the complex procedure provided by law to direct the county officers. They will have no excuse for developing a "common law" of their own by following the precedents of the office rather than the statutes.

The system which this charter sets up is not a perfect one. For example, it does not do away with much unnecessary duplication of effort between city and county. It clings to the tradition that makes the sheriff an elective officer, though nine-tenths of his duties are simply those of executing court orders. It continues the county assessor and district attorney as political officers when they should be selected for expert qualifications. It leaves the justices of the peace on the elective list, in spite of the pettiness of their jurisdiction.

So much of criticism is due from our particular viewpoint. But, on the whole, it looks like the beginning of a new age in American counties.

The Alameda Plan

Los Angeles is the pioneer. But another California community is undertaking a much more pretentious piece of work. The Tax Association of Alameda County has a plan of county federation in which the Short Ballot and expert administration under an appointive manager are the dominant principles. The adjustment of city and county relations would be effected on the principle that the county should be made more important and incidentally, more interesting to its citizens, by charging it with the whole system of duties which constitute the local exercise of the police power, which is divided at present between the

county and the cities. The county would also take over several matters of routine administration, so that the office-work of the cities and the county (a big item of expense), could be centralized and standardized. At the same time, the cities would have every opportunity to develop their individuality in the matter of public works, education, etc.

Conditions in California are not so very "peculiar," after all. New York, Texas, Ohio, Pennsylvania, have quite as great a diversity of conditions to deal with. County governments in most of the states are working under substantially the same form of organization which the old California law provides; so that these local systems have a very general significance. The rest of the country will do well to watch California's experiments.

Survey. 31:490. January 24, 1914

Commission Government and Paid Managers for Counties.

H. S. Gilbertson

The New York legislature now in session will be asked by the Short Ballot Organization to do away with the present cumbersome system of county government by a large board of supervisors and a long list of elected officers.

A bill has been prepared in an optional form with provision for its adoption in any county by referendum, substituting a board of supervisors of three members, elected at large in rotation for a term of three years, in place of the present cumbersome body. This board would take over all the functions of the present board except those specifically conferred upon a new officer to be known as the "county manager."

This new official would be under the direct control of the board and serve as their executive agent. He would have ample powers of inquisition and would actually appoint the county superintendent of the poor, the treasurer and other statutory officers except the auditor, or comptroller, and coroners. He would receive the fiscal estimates of the various officers and present them to the board of supervisors with his recommendations. He would act as purchasing agent.

There would fall upon him, in short, all of the detailed work of the present board of supervisors except the bookkeeping

element in the auditing. In larger counties this latter function would fall to the county comptroller who is now provided by law as an optional officer.

It is the intention that the county manager have a salary sufficient to attract trained men and, to widen the field of selection, it is specifically provided that he need not be a resident of the county. This feature duplicates the "city manager plan" in operation in Dayton and Springfield, Ohio, and other cities.

To make reasonably sure that the board of supervisors would give the county manager power to carry out his duties, provision is made in the bill for an administrative code, required to be enacted by the board. This would contain in detail the procedure relating to the purchase of supplies, the form of contracts, the regulations concerning the budget and department reports.

The coroners would be appointed by the district attorney, thereby tending more closely to unify the machinery of criminal justice.

When, if ever, the constitution is amended so that the principal county officers may be made appointive, a further unification of the functions of the board of supervisors could be effected by an extension of the county manager's powers of appointment. An amendment with this end in view will probably be presented to the legislature.

The need for the new plan is pressing. The organized Short Ballot movement was not very old before it found that the county is a field in which this reform is particularly appropriate. For the purpose of scraping an acquaintance with the subject, we made a rather thorough examination of the statutes in New York state relating to counties and county officers, and found some astonishing things.

Here was a unit of government which had been running along for 200 years without the slightest semblance of an administrative head, or chief executive. There was a board of supervisors, to be sure, but its members consisted of delegates from the various towns who met only at intervals. In the very nature of the case, they could not be conversant with what was going on in the other county offices. The latter were nearly all in the independent elective class and this fact, of course, further militated against an effective organization. We diagrammed this statutory situation. The result was something which looked very much like the tangled mass of steel girders in the ruins

of one of the office buildings at San Francisco after the great fire.

We then began to look around and see how the thing had worked in practice. Soon we ran across an illuminating and highly entertaining set of reports on certain up-state counties, which were prepared during Martin H. Glynn's term as comptroller, about six years ago.

Among the things which the investigators found, in at least one county, was a practically wide open treasury which could be picked at the instance of half a dozen elective officers because of the practical abandonment of anything like auditing. In another county, by a series of illegal resolutions, the board of supervisors actually abdicated its principal function as auditor of county bills to an appointive employe who served without bonds and was subject to no check beyond a perfunctory examination. Vouchers for public expenditures in several counties were found to have been burned. Sometimes they were stuffed away in barrels in an utter lack of sequence or order. Officers like the county clerk or county treasurer had been pocketing fees which the statutes plainly said were the property of the state.

Some of these evils, of course, could have been corrected superficially by better administrative measures. But at bottom the trouble was one of bad fundamental organization. The boards of supervisors in many of the New York counties are too absurdly large to perform the administrative functions which are imposed upon them. Think of thirty-eight men, as in Westchester county, auditing a bill by acclamation!

But size is not the only difficulty. There is no one to represent the *unity* of the county. And that is where the proposed small board and the county manager will count strongly.

Review of Reviews. 46:604-8. November, 1912

Discovery of the County Problem. H. S. Gilbertson

The misdeeds of aldermen and legislators have a way of bursting forth out of a picturesque, heroic setting. They break into the headlines; the grand jury takes notice; public sentiment drives along the prosecution and there follows a general cleaning up, and perhaps some real constructive reform. Even under normal conditions, the possibility of attracting public attention is likely to be a useful preventive.

But what of a government which does not make such an appeal to the imagination and the dramatic sense? The county falls in this category. It has no big franchises to give away and no senators to raise a "jack-pot." It runs along in its dull, prosy routine, filing records of real-estate transfers and court proceedings, making surveys, executing court processes, and keeping prisoners. Barring, here and there, the activity of a vigorous district attorney, there are few visible and physical evidences that the county is at work at all—except in the tax-collecting season.

But for all that the county is not the center of the problem of modern civilization, it is beginning to be a field of interesting discovery. Particularly is it being brought into sharp and unfavorable comparison, in many instances, with the city governments within its own confines, and especially is this true where commission government has gained headway. The denizens of these cities have witnessed the passing away of the city council, with its petty ward bickerings and its noisy inertia, and of a hopelessly ineffective system of administration; they have seen the foundations laid for efficiency and economy and secret councils abandoned for the policy of the "open road."

The Contagion of Political Simplicity

The inference is natural: If commission government could encompass these changes for cities, clearly there is a chance for similar revamping of the county system. And so it happens that in half a dozen widely separated states where the new simplified city government has been in operation for a few years its first by-product is now a demand for the reconstruction of the wider political unit. In Iowa, the County Clerks' Association has broken into the situation by going on record in favor of a method of selection which would relieve them of their elective independence and place them under the authority of the district judges. New Jersey has caught the idea of simplicity, and has enacted an optional law which would permit the abolishment of the big, cumbersome board of supervisors and substitute a small commission vested with broad powers of control.

But more notable than any of these, and entirely original in its conception, is the constitutional amendment in California, which was adopted in October, 1911, and which is now being brought into use in the counties of Los Angeles and San Ber-

nardino and seriously discussed in several others. This is the measure by which home-rule in matters of local self-government was extended to counties, in somewhat the same form in which it had been enjoyed by the cities for a period of over thirty years. Its primary object is to bring within reach of the people of the counties the advantages of the Short Ballot and the consequent fixing of responsibility which it entails without imposing upon diverse communities any hard and fast form of organization.

Proceeding from a still different point of view, the group of Oregon Progressives, of which Mr. W. S. U'Ren is the leader, have worked out a most interesting suggestion for county reform. This is part of a radical reconstruction of state government toward which the initiative and referendum movement in Oregon had been tending. But the details of the Oregon county plan come in for discussion at the end of this article.

What Was Learned About New York Counties

And not only has the county been coming to the fore as the result of the constructive measures taken in cities, but in a number of localities, on its own account, it has achieved an unenviable reputation for eating into the finances of the tax-payers without showing commensurate benefits. Some five years ago several counties in New York began to contribute to the high cost of living by sending the tax rate leaping and bounding from thirteen dollars per thousand valuation to amounts varying from twenty to thirty dollars. The state comptroller sent his examiners successively into five or six counties where they disclosed administrative conditions which were astonishing, even in comparison with the revelations which have been made public in affairs of great cities,—so very astonishing in fact that the examinations came to a sudden stop.

Literally, the comptroller found a wide-open treasury, which could be picked at the instance of half a dozen elective officers, with no one raising a dissenting voice. In one county, by a series of resolutions spread upon the minutes, and directly contrary to law, the board of supervisors had actually abdicated its principal function as auditor of county bills to an appointee who served without bonds and was subjected to no check whatever beyond a perfunctory annual examination. Vouchers for public expenditures were sometimes burned, sometimes stuffed

away in barrels and other receptacles without reference to order or sequence. Officers like the county clerk and the county treasurer for years had been pocketing fees which the statutes plainly stated were the property of the state, not because they were dishonest but because their predecessors had done so and that was the only law they had to be guided by, and because there was no one by to tell them any different way.

Incidents like these have their local causes and their local significance. But when they come from a hundred isolated localities throughout the country they picture the chief influence which has molded county government, and influence no better called than by the name of neglect. Neglect on the part of the public and of publicists; neglect on the part of everybody but professional politicians, who have given the subject, in their own peculiar way, the most continuous and solicitous care.

A Medieval Institution

The county, even now, is essentially a medieval institution, with modifications at special points to meet the pressure of modern life, and rarely has the slightest regard been given to the incongruities and absurdities of some of the combinations in making the adjustments. For how else could anything short of a species of medieval-mindedness persuade us to take seriously such an officer as the sheriff? Modern political organization has reduced this erstwhile powerful officer to the dimensions of a court messenger. Once he was the personal representative of the King in the county and the "Keeper of King's Peace." Now, especially in populous centers, he has been displaced by well-equipped municipal police forces and state militia; and in rural sections he is a joke. But while the office itself has atrophied, its outward dignity is hardly less prepossessing than formerly. If in any of the forty-seven states in which he is now an elective officer, a proposition were made to reduce him to his proper subordination to the judicial establishment, a storm of protest would arise from ten thousand outraged democrats. So highly is the sheriff regarded in some of the larger cities that he is permitted to extract an income estimated at \$50,000 per year, part of which, of course, is added to the "costs" of litigants for extra quick service of processes and is hidden away in lawyers' fees.

And the coroner! Surely there is a vast amount of humor in our solemn march to the polls to select the gatherer-in of

dead men's bones. Why has not some one suggested that this officer be made an attaché of the local health department?

This backwardness and conservatism in dealing with county officers has been shown, in less ludicrous ways, by comparison with some of the typical developments in the cities. To illustrate: the idea of the merit system of civil service which was provided for the cities of New York state in 1883 was not extended to counties until 1900. Massachusetts, which has had a mandatory state-wide civil service law for cities for many years, has not yet touched the problem in its own civil divisions; this, notwithstanding that precisely similar reasons for this sort of protection are present. However, it may be scored on the side of progress that Cook County, Illinois, is now about to install a most complete and up-to-date system, while in New Jersey, the three counties of Essex, Mercer, and Hudson, containing, respectively, the cities of Newark, Trenton, and Jersey City, have recently adopted the state civil service law by popular referendum.

Likewise, the principle of non-partisan elections for local officers, now in vogue in hundreds of cities and recognized in these units as a practicably incontestable proposition, has made little or no headway in counties, although the reasons for applying the principle here are doubtly cogent. The obscurity of county officers, the uninteresting character of their work, and the consequent lack of publicity which surrounds their activity make for dark passages and by-ways of politics which directly favor any sort of bad political and business practice of which irresponsible individual officers or county rings are capable. And, incidentally, these same "rings" are important component parts of state machines.

The Long County Ballot

From the standpoint of efficient citizenship, the really serious side of county politics is the effect which it has upon the unwieldiness and confusion of the ballot. It usually happens that the county officers are chosen at the same time as the state, judicial, and sometimes even city ticket. As Mr. Roosevelt said in his Columbus speech:

You cannot get good service from a public servant if you cannot see him, and there is no more effective way of hiding him than by mixing him up with a multitude of others so that they are none of them important enough to catch the eye of the average work-a-day citizen.

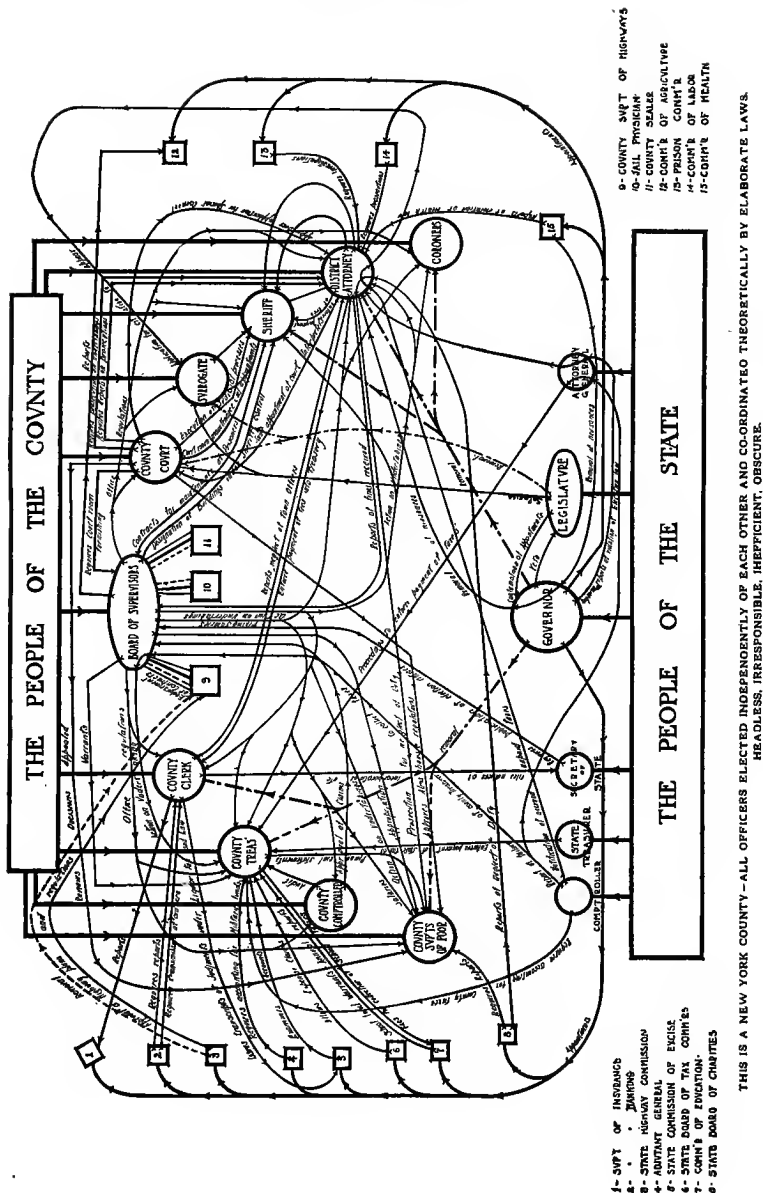
If the district attorney were not mixed up with twenty other county officers of decidedly less importance, his office would undoubtedly be stronger for standing in the concentrated rays of public opinion. If the supervisors could stand out from the county surveyor, the coroner, and the county clerk, the citizens would not have to distribute their attention over a long line of meaningless names. Aldermanic candidates in Chicago are no longer mixed up with a multitude of unknown and unimportant county candidates, and no doubt this fact has much to do with the higher tone of Chicago's governing body in recent years. The Los Angeles ballot in the November election in 1910 contained a list of forty-five sets of candidates, more than half of whom were for county offices. This situation, by the way, is being dealt with by the present county charter framers, who plan to put through drastic reduction in the number of elective officers.

Faulty Organization

But in the last analysis, the county problem arises from its bad ground plan of organization. Some time ago the consolidated laws of New York State were searched to find out the legal relations of county officers to one another and to the state government. Without attempting to influence the result, but simply drawing his lines through the most convenient open space, a draftsman got the picture of unutterable confusion which appears on the opposite page. A perfect switchboard for tangled lines! And what is the meaning of it all? Simply that there is no positively real administrative headship and subordination in the county organization.

The statutes contemplate that the board of supervisors shall be responsible for the county's financial management. But this board is a large body, consisting of one member from each town and each ward of a city within the county; and, like county boards of supervisors in other states, it convenes only at certain stated intervals. Its members have no special qualifications for administrative work. There is no continuous supervision of the county business.

The other administrative officers of the county, like the treasurer and the superintendents of the poor, are independent of their direct control because of their separate election and are removable not by their putative superiors themselves, but by the



distant governor, who may or may not act when his attention is called to local conditions. In cases of actual malfeasance the supervisors may recover on the treasurer's bond, or the attorney-general may take such action at the instance of the comptroller. But this is not that constant and instant control which is one of the first essentials of practical administration.

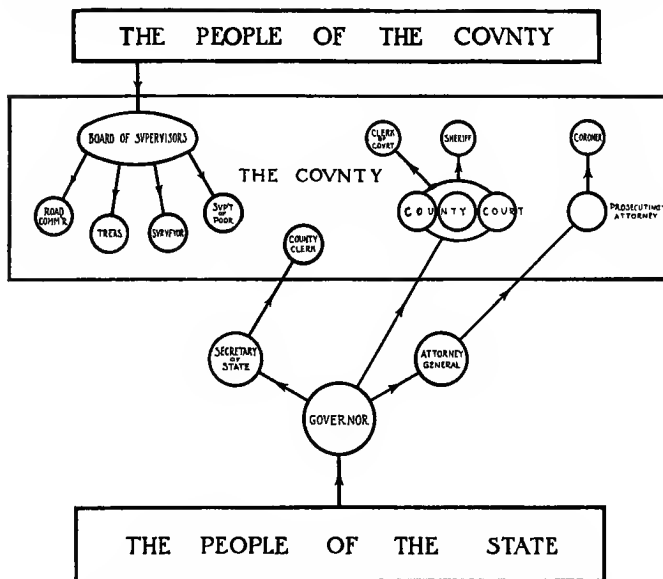
To demonstrate that this absence of administrative control is open to more than academic objection, let me cite the attitude of the treasurer of Cook County, Illinois, an official who handles funds to the amount of \$50,000,000 a year. His is a fee office, and according to the constitution of Illinois is under the supervision, as to the number of his assistants, of the district judges. During the past year, after several of the other county officials had submitted to the examination of their accounts and their office systems, the Bureau of Public Efficiency undertook, at the request of the judges, to make an examination of the treasurer's office for the purpose of giving the judges data upon which to authorize an increase in the number of clerks. But the treasurer refused to open his office under circumstances which would permit of effective examination. The judges, his legal superiors, had no power to force his hand. He was responsible, as he himself declared, only to his bondsmen, and to them only does he render any report for the annual flow of \$50,000,000. The people elect him. But they do not control him. They have not even the boon of seeing what goes on in his office.

The position of the county treasurer just cited is an excellent illustration of the theory generally underlying county organization. It is a "government of laws," an intricate tangle of checks and balances with positively no human force to drive it. Like a big touring car, with the engine going and the clutch on but no driver in the front seat, it follows a devious path which leads to destruction. No wonder that county government, like the old-fashioned city organizations, inevitably goes outside officialdom and finds a driver in the person of a county boss, or an irresponsible, unofficial form of commission government—the county "ring."

The Oregon Proposal

In sharp contrast with the typical county ground plan suggested above is the one prepared by the Oregon Progressives. Herein is recognized a principle which most other practical re-

formers appear to have overlooked. And this is the fact that the county is neither a simple municipal corporation nor a mere civil division of the state, but partakes of the attributes of both. Remembering that the administration of law is a function of the state, the Oregon leaders have consistently planned to keep the judicial machinery distinct from that of functions which are properly the subject of local control. Thus, although the judges,



Richard S. Childs' Suggestions for a Short Ballot County

in deference to local sentiment, would remain elective, the district attorney and the sheriff, who constitute the principal agencies in the administration of justice, would be appointees of the governor. All else in the county is regarded as the proper subject of "business" treatment. In the latter department, the principles underlying the commission plan have been brought into play so that the governing board of the county would be a small and "conspicuously responsible" body vested with the corporate powers and duties of the county. But, Oregon-like, the Oregon plan goes just a step further than the commission

plan, for, where the latter requires the members of the governing board individually to supervise the somewhat artificially divided departments of administration, the former arranges for an expert county manager, who would act under the direction of the county directors. This officer would appoint all the local subordinates, such as the treasurer, county clerk, and so forth.

As evidence of the practical basis of this suggestion, witness this statement from Mr. U'Ren:

It is commonly believed that the average farmer and business man, and even the average private corporation, gets as much value in business for from forty to sixty cents as our state and local governments get for \$1. It is not unusual to hear a man of experience say, in speaking of the county, "I could take half the money and get better results if I could run it on business principles like I do my own affairs."

There is experience to justify this opinion. In the period from January to July, 1902, when the business that is now done by the county clerk's office in Multnomah County was done in three departments by an *elected* recorder of conveyances, an *elected* clerk of the circuit court, and an *elected* county clerk, the receipts were \$13,968.50; expenses, \$23,928.97. It cost \$1.71 to do a dollar's worth of clerical work and get the money. In the period from January to June, 1908, with the three offices consolidated in one, the receipts were \$31,355; the expenses were \$20,200.51. It cost 64 cents for the county to do the work and get in one dollar under Mr. Field's management of the business of the three departments consolidated in one.

Multnomah County is getting more work for 38 cents than it used to get under the old system for \$1. The direct nomination law, by elimination of the party bosses and of the machines, is in some degree responsible for the saving, but we believe it is in equal degree due to the concentration of executive responsibility and power in the hands of one man.

And now we shall possibly see in Oregon, replacing the antiquated incoherent anachronism which has passed for county government, a system which at least in the designing is thought modern and scientific,—the direct antithesis of what every reader of these lines has known. Based as it is upon a thorough analysis of all the constituent factors in county organization, it is an embodiment of the generally accepted constructive idea in recent political thought; unity of organization, administration by experts, and simplicity of citizenship through the Short Ballot.

CITY GOVERNMENT

American City. 7: 339-43. October, 1912

City Charters and the Short Ballot. Harold S. Bутtenheim *

ALDERMAN LONG—So St. Paul and New Orleans have been bitten by that commission government mosquito! It seems to be stinging the big cities now as well as the small ones. I wonder where it will light next.

COMMISSIONER SHORT—I fear you lack proper respect for the wisdom of the two hundred or more communities which have adopted Short Ballot charters. I should prefer to say that they have inoculated themselves with an antitoxin against some prevalent municipal ills.

LONG—O, you think, then, that the cities and towns of the United States could be divided into two groups—Group No. 1 comprising those under the commission form of government, in which would be found efficiency, honesty and every municipal virtue; while Group No. 2, comprising all the rest, would be synonymous with inefficiency, waste and corruption!

SHORT—By no means; for I know full well that neither group has a monopoly of all the virtues or vices; and I doubt not that here and there a city could be found which is better governed under an old-fashioned charter than some other city of corresponding size with the commission form.

LONG—In other words, if the people really want good government, they will get it without one of these new-fangled charters; and if the reformers would spend as much time preaching individual honesty as in devising ingenious plans for running municipalities, they would accomplish much more that's really worth while.

SHORT—I can't agree with you there. In the first place, all the honesty in the world won't give us good city government without efficiency. But assuming individual honesty to be the most important thing, hasn't the reformer the best of authority for asking that men should not be led into temptation? If the

* Read at the Annual Convention of the League of American Municipalities at Buffalo, N. Y., September 18, 1912.

Short Ballot makes it easier to poll an honest vote, and elect able and faithful officials, doesn't it thereby promote individual honesty as well as governmental efficiency?

LONG—That's a rather big *If*. But if you can prove your premises, I am entirely willing to admit the logic of your conclusion.

SHORT—To save time, let us see if there are not some fundamental premises—*axioms*, we might almost call them—which we can take for granted without argument. I think we will both agree, for example:

(1) That the average voter would prefer to cast his ballot for an able and honest official than for one who lacks these attributes.

(2) That this preference, however, is not sufficiently active to make the average voter spend very much time in studying the comparative merits of rival candidates.

(3) That it is easier for any voter—average or not—to discriminate intelligently between the candidates for a few offices than between the candidates for many offices.

(4) That the more important the office to be filled, the greater interest do the voters take in deciding who shall be elected to fill it.

If you see any flaws in these statements, Mr. Long, let us discuss them before proceeding further.

LONG—I am entirely willing to concede the truth of your four axioms, and must admit that, taken together, they form a strong argument for the Short Ballot as an efficient type of election machinery. You need only add a fifth "axiom" to the effect that the success of municipal government is in direct proportion to the efficiency of its election machinery, and you have apparently proved your case; but that's an axiom I can't swallow.

SHORT—Nor have I asked you to. Instead of any fifth axiom, suppose we take as our conclusion the proposition that, other things being equal, election machinery designed with these four axioms in mind may be expected to set in motion municipal activities of a useful character with more certainty and less friction than would be possible under a clumsier plan.

LONG—With your saving clause of "other things being equal," I am even willing to admit your conclusion; but it strikes me that you have by no means proved your case. You devise a ballot, which—considered merely as a ballot—should be most

pleasing to everybody except the printers and paper manufacturers; then you liken it to a piece of machinery and assume that it's the ideal thing with which to turn the wheels of a city government. But to use a similar metaphor, I might mention the fact that a watch, though a fine, compact piece of machinery, is for some purposes hardly as useful as a larger (though clumsier) steam engine; though, *other things being equal*, it might be. The trouble is, other things aren't equal.

SHORT—It remains, then, to prove that the Short Ballot, which you consider desirable in itself, has no countervailing disadvantages to offset its merits.

LONG—Exactly; and to be more specific, I will mention three or four of what I think are conceded to be the chief weaknesses of the Short Ballot plan as applied to municipalities. You might knock them down, if you can, one at a time. First:

The Short Ballot means concentration of power and responsibility in a very few hands. While this may work well in small cities, I am convinced that in very large municipalities it would be unwise.

SHORT—My answer to that objection is that we have both been tacitly assuming the Short Ballot and commission government to be synonymous terms. As to the wisdom of putting the government of a city the size of St. Paul or New Orleans into the hands of five or eight men, that is a question we might postpone till we have agreed—as I am sure we will—on the wisdom of the Short Ballot for *every* city, no matter how large.

There are, roughly speaking, two (partially overlapping) groups of men in every city government—those who determine policies, and those who do the actual work of administration or engineering. It is a fundamental requirement that the people shall have the right to participate in the policy-determining function by choosing the men who are to exercise it. But, having chosen, for example, councilmen who are known to favor a sewage disposal system for their city, the choice by popular vote of an engineer to design the plant or a superintendent to manage it, would obviously be unwise.

LONG—Of course there are many important positions which, from their very nature, cannot wisely be filled by popular vote. I am well aware, too, that there are many little offices which, because of their comparative unimportance, will never arouse a lively popular interest. Such offices, likewise, should be filled by

appointment, perhaps under civil service rules. But you have not yet explained how, with your Short Ballot, you would make the policy-determining branch of the government sufficiently large in numbers to represent the various sections and interests of a great city.

SHORT—Assuming a large governing body to be desirable, the difficulty could readily be met by a judicious use of the ward system. Suppose, for example, that in a city of a million inhabitants it were deemed wise to have the people elect thirty councilmen and a mayor. The city might be divided into fifteen wards, each to be represented by two councilmen. By making the length of term four years, and providing for the election of one representative from each ward every two years, you would have a ballot on which the voter would have to choose only one name every second year, or two names—councilman and mayor—every fourth year.

In British cities, as you probably know, the ward system prevails—and their governments are admirable. The voter in a municipal election in Glasgow, for example, has the shortest possible ballot, for he chooses only the one member of council from his own ward. The councilmen in turn choose the aldermen, who also sit in the council. The function of the council is to determine policies, which are carried out by the mayor and other city officers chosen by the council.

Remember, I am not expressing approval or disapproval of the ward system for large American municipalities, but am merely pointing out that a comparatively large governing body and a very Short Ballot are not necessarily incompatible. Of one thing I am very sure—that with too many councilmen the selection of each becomes of such comparative unimportance as to minimize popular interest. In any case, municipal elections should be held in a separate year, or, at any rate, at a separate time, from state and national elections.

LONG—The advantages of the Short Ballot, as you outline them, seem unanswerable; and, pointing out, as you do, that the Short Ballot and commission government are not necessarily synonymous, I am ready to concede the desirability of the former. How would you define the Short Ballot principle in the briefest possible terms?

SHORT—Perhaps I cannot do better than to quote the definition of the National Short Ballot Organization:

"First: That only those offices should be elective which are important enough to attract (and deserve) public examination.

"Second: That very few offices should be filled by election at one time, so as to permit adequate and unconfused public examination of the candidates."

LONG—Just what effect does the Short Ballot have on our American system of checks and balances as exemplified by a legislative body consisting of an upper and lower chamber and an independent executive?

SHORT—The Short Ballot might, conceivably, be used to elect a government organized on that plan; but do you really consider the "separation of powers" to be a desirable way to get the best results in a municipality? What would you think of a business corporation whose stockholders would elect two boards of directors with practically co-equal powers, and an executive responsible to neither?

LONG—I must admit that I am coming to believe in the concentration of power and responsibility in the hands of one group of men, chosen by the people and with no other elective city officials to interfere with them. I am less afraid of hasty and unwise legislation under such a system than I used to be; particularly if the voters have the initiative and referendum for use in case of emergency.

SHORT—Why, that sounds like the beginning of an argument for the commission form of government! Have you become converted so suddenly?

LONG—I might as well admit that my "mosquito bite" remarks which brought on this discussion were intended more to draw you out than anything else; but I may say frankly that I am not prepared to accept any of the "standard" forms of commission government charters as the absolutely final thing for American municipalities.

SHORT—Nor am I; though I believe that most, if not all, of the cities and towns which have adopted the commission form of government are being, or will be, better governed than under their former charters. And this belief on my part is based chiefly on the Short Ballot and the unification of powers which the new charters have brought about; but there may be certain weaknesses in these charters which further study will remove.

LONG—One serious danger of a small commission to govern

a great city, in the opinion of many, is that too much power is thus placed in the hands of too few men. A commission of five, if three of them are not of the right kind, might be manipulated with great ease by franchise grabbers.

SHORT—That fear doesn't worry me a bit. In the first place, men who can be manipulated are not apt to be elected on a Short Ballot; should any such men happen to slide into office, the office itself is so conspicuous that manipulation is rendered exceedingly difficult. In any case, the public interests can readily be protected by providing in the charter that every franchise grant shall be submitted to popular vote; or, if this is not considered desirable, provision may be made for an optional referendum, under which thirty or sixty days must elapse before any franchise grant shall take effect, within which time a certain percentage of the citizens may demand its further postponement until ratified by popular vote.

LONG—The most conspicuous weakness of the commission form, in my opinion, is that these charters usually place in the hands of five men, not only the policy-determining function, but the administrative function also; the same small group of men are given power to legislate and to enforce their own laws; to appropriate money for public works and to spend this money themselves.

SHORT—There I think you have hit upon the most fundamental objection to the commission plan. But we both agree that our vaunted American system of checks and balances hasn't solved it. The problem, I think, will be partially solved by the increasing perfection of our municipal civil service laws. And of great importance also will be the gradual development and training in this country of municipal experts who will be employed by our city commissions just as the directors of a corporation now employ a business manager. To return to our machinery metaphor, we must remember that it's the man with his hand on the lever on whom the final responsibility must rest. The actual running of the complicated machinery of a city government shouldn't be left to novices like you or me—or even to five of them. But this city manager must, of course, be responsible to the commissioners and not independent of them.

LONG—I understand that some such plan is already being tried.

SHORT—Yes; the city of Staunton, Va., some four years ago,

elected a general manager, while retaining the mayor and council plan of government; and in June of this year Sumter, S. C., adopted a new charter providing for three commissioners drawing nominal salaries (\$300 for the mayor and \$200 for the others), and giving only part of their time to directing the city's business. These commissioners in turn choose a city manager, who need not be a local resident, and who will hold office at their pleasure. Provision is also made in the charter for the initiative, referendum and recall. The Sumter plan strikes me as being an admirable one for a small city.

LONG—An interesting elaboration of this idea is embodied in the new form of city government proposed by the Business System of Government Committee of Indiana. Are you familiar with it?

SHORT—I understand it is an attempt to adapt to municipalities the system of successful business corporations, but am not familiar with the details.

LONG—In brief, the Indiana proposal contemplates the election on a non-partisan ballot of a board of councilors, consisting of 25, 17, 11 or 9 members, the number depending on the size of the city. The term in each case is four years, half of the councilors to be elected from the city at large every second year. The salary of each member is fixed at \$5 for each meeting attended, and not to exceed \$200 per year. The board of councilors has no primary legislative functions and no administrative duties and powers, though it finally passes on all ordinances, fixes the tax levy, and audits the public accounts. Its chief function is to elect (and fix the salaries of) the board of administration of the city, comprising the mayor and four commissioners. The board of councilors also appoints two commissioners of election and three members of the civil service commission, as well as the members of the school board and park commission. The city government is divided into five departments, in charge of the mayor and the other four members of the board of administration, any one of whom can be removed by the councilors by a two-thirds vote. The councilors, in turn, are subject to recall by the citizens, who also have the initiative and referendum privileges. I understand that an active campaign for this "business system of government" is now being conducted by its sponsors in Indiana. How does the proposal impress you?

SHORT—I judge that the plan is based on the theory that the proposed board of councilors corresponds to the board of directors of a business corporation; and that the mayor and commissioners correspond to the business manager and heads of departments, chosen by and responsible to the board of directors. But I see this important distinction: a corporation's directors have a personal financial interest in the successful management of their enterprise, for the directors are usually chosen—or choose themselves—from among the largest stockholders. In a municipality, on the other hand, it is essential that the governing board be kept free of men who have financial interests of their own to serve; the spur to effective work must be civic pride, or, at least, nothing more selfish than the desire to share, in the same degree as all other citizens, in the city's welfare. The success of the Indiana plan would, of course, depend largely on the personnel of the board of councilors; and I fear that, with 17 or 25 men elected from the city at large, the ballot would be too long and the responsibility not sufficiently concentrated, to secure the best results.

If the board of councilors is kept as large as is proposed, and elected from the city as a whole, I believe the Indiana committee would do well to provide that such elections be held under some plan of proportional representation, such as the Hare system of a single transferable vote, which is in successful use in municipal elections in Denmark and the Union of South Africa.

It strikes me, also, that—in the smaller cities at least—the dividing of the municipal government into five executive departments, in charge of five separate commissioners, chosen from outside of the board of councilors, would be a rather expensive and cumbersome plan. In cities of less than 20,000 population, I believe that three commissioners would be ample; and it may be that, in cities of 10,000 or less, one man of real ability would be able to supervise the administrative end of the city's business. The Indiana proposal is, however, a very interesting one, and with such modifications as further discussion and practical experience may suggest, it may develop from an Indiana plan into an American plan.

LONG—If I had the ear of that Indiana committee and other charter makers, I would suggest that they try to work out a scheme by which effective coöperation would be established be-

tween their municipal governments and the commercial and civic organizations of their respective cities.

SHORT—This, I believe, could be done under various forms of charter by the creation of an advisory board composed of representatives of the several commercial and civic bodies of the city, duly elected by their respective organizations; this advisory board to suggest needed improvements and to recommend legislation, but to have no actual vote in the municipal government. By some such means the best thought of the business men and civic workers would be placed at the disposal of the municipality. Should the governing body fail to adopt any recommendation which the advisory board felt to be desired by the majority of the citizens, recourse might be had to the initiative, or the advisory board could give its endorsement to candidates favorable to its proposition at the next municipal election. I have long thought that our municipal governments ought in some way to employ more effectively the latent energy of commercial and civic organizations, and am sure that this is a subject deserving of careful study by charter makers and municipal officials.

LONG—We seem to be agreed on that subject.

SHORT—I wonder if we can agree, too, on a short definition of an ideal city charter.

LONG—Perhaps we can. What have you to suggest?

SHORT—That city charter is ideal which regards municipal government, not as an end in itself, but as an aid to the health, happiness and prosperity of every citizen; and which, in actual practice, accomplishes its object with the greatest degree of economy, simplicity and certainty.

LONG—And here is mine: That city charter is ideal which, both at and between elections, secures the most effective co-operation among all citizens of the municipality to the advancement of their present and future welfare.

And that's the long and the short of it.

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Short Ballot and the Commission Plan. Richard S. Childs

The commission plan is at least a relative success. Few cities that have the old style plan of government by mayor, council and

miscellaneous minor elective officers are disposed to jubilate over the results they are getting, whereas the cities that have the commission plan seem to be unanimous in their willingness to keep it indefinitely, on the ground that whether it be perfect or not, it is certainly a vast improvement over its predecessor. Nothing in political science can be demonstrated with mathematical certainty, but I submit that for the reasons that follow, it seems reasonable to believe that the essential factor in this relative success of commission government is the fact that it has happened to involve complete acceptance of "the Short Ballot principle."

As defined by The Short Ballot Organization, "the Short Ballot principle" is—

First—That only those offices should be elective which are important enough to attract (and deserve) public examination; and

Second—That very few offices should be filled by election at one time, so as to permit adequate and unconfused public examination of the candidates.

Commission government, vesting the power in a single board which is so small and so powerful that the individual member is conspicuous, conforms precisely to this principle. There are observable certain phenomena in the operation of commission government which are clearly traceable to its Short Ballot.

First, the people know what they are doing on election day. Any foreigner would instantly take it for granted that this is a necessity for a workable democracy, but in this country so obvious a fact has been consistently ignored. In every city under the old style of government, we see great multitudes of people voting a "straight ticket," not because of any overwhelming loyalty to their party, but because they know of nothing better to do. The typical American voter votes for his mayor with clear conviction. He can argue about the mayor on the street with any voter, can explain his reasons for his vote, is armed with a considerable array of facts and history, and his vote represents a well-formed opinion. The mayors of typical old-style cities are correspondingly better representatives of public opinion than the various obscure officers who make up the rest of the ticket, and politicians consistently nominate figureheads for the mayoralty because they must have as candidate some man who can stand the limelight. In this matter of the con-

spicuous office, on which public discussion focuses, the politician, despite the fact that he holds complete possession of the nominating machinery, is exceedingly deferential to Mr. Plain Citizen. A typical American voter, however, finds on his ballot not merely a set of candidates for mayor, but also a host of candidates for a string of petty offices. There are weak councilmen, for instance. The power of the council as a whole may be large, but it is usually so dissipated by division among an unreasonably large number of members that the individual councilman is of no account, and public opinion refuses to waste its breath upon him. There are also various minor elective administrators such as city treasurer, comptroller, board of public works, president of council, etc., offices which are either insignificant in power or so uninteresting in character that they completely escape public scrutiny.

The people are human beings and excepting under some compulsion, are not to be expected to take an interest in uninteresting things. This simple and well-known unwillingness of the people to get excited over uninteresting matters has not been taken into account in designing city governments. Charter committees have said, in effect: "The citizens ought to be interested in getting the right man for city treasurer. Therefore, we will make the city treasurer elective." Subsequent elections showed that the citizens were not interested; the great majority of them paid no attention to the matter, and in consequence the control of that office was left in the hands of a small minority. This "apathy" of the citizens can be explained and is not inexcusable when it is considered that the office of city treasurer has nothing to do with the broad policies of the town and is not truly political, the only issue involved being the question of which of the several aspirants shall hold the job and draw the salary. That is not an issue large enough, unless there be great scandal, to cause all the men of a city to stand up, divide, and be counted. For the Charter Revision Committee to say "it's the people's duty to live up to these requirements which we lay down for them" is sheer impertinence. If the people will not graciously deign to do certain work that is laid out for them to do, the sensible and proper solution of the difficulty is to change the requirements in accordance with the people's action. If the mountain will not come to Mahommed, Mahommed must go to the mountain.

In the commission plan there are at most only five elective officers in the whole city. They are all important and share in the determination of policies, and the people consequently take a great, natural, and spontaneous interest in every one of those elective positions. Mr. Plain Citizen can argue about every one of the five men just as in the old days he could argue about the mayor. On election day he expresses a clear conviction regarding every elective office. He is completely the master of his ballot and his mastery has been acquired without conscious effort. It is as if the exhortations of reformers had succeeded in inducing all good citizens to go into politics; only in this case politics has been simplified and thereby brought to the people. Surely this unique phenomenon of the commission-governed city, the fact that the people know what they are doing on election day, is a very vital and important one. It is due to the shortening of the ballot, and not to any excitement of civic interest among the people. The people of Galveston were the same after the flood as before. The people of Houston did not undergo a moral upheaval when commission government was established. Neither did the people of Des Moines, Cedar Rapids, or Leavenworth. It was the ballot that changed, not the people. Incidentally, does it not seem possible that the people of the much-admired British cities, which also have an exceedingly "short ballot," may not be individually a bit more alive naturally on civic questions than our own people? Is it not reasonable to believe that their human nature is the same as ours, and that if an American city adopted *that* "Short Ballot" plan it would get similarly satisfactory results?

It is obvious that when all the people of a city know what they are doing on election day, that separate class of political specialists known as "politicians" coincidentally disappears. The politician is simply a citizen who knows what he is doing on election day. He is a man who does all the work which citizenship requires of him. In the old style city where the work of the voter is obscure and complex, these "complete citizens" are so few as to constitute a definite ruling class—an oligarchy. Simplify the work of the citizens sufficiently and all the citizens automatically become effective politicians, and the political specialist of the past finds himself no more influential than the average citizen.

In the last analysis, I think our complaint against our city

governments comes down to just this: that they have been oligarchies; that the office-holders have been under obligations to the little ruling class of politicians, and that government has consequently been in the interest of the politicians rather than in the interest of the people. The citizens, to protect their interests, have been pitted against the politicians to whom the work of politics was a means of livelihood. It was a case of the amateurs against the professionals. With the disappearance of this ruling class the great bulk of our problems may be expected to vanish. In the commission-governed cities the Short Ballot made it possible for a man to campaign and get elected without the permission of the politicians. That this would hold true in a large city where the difficulties of getting before the people stagger individual effort and create a special function for the experienced machines, I am not certain; but in the small cities, where commission government has thus far been tried, a candidate can get himself into the limelight and make a successful campaign, simply because the office for which he is running is important, the citizens are looking for him and are ready to listen to him, and the work of the citizens is not so complicated as to cause them to ignore the candidates and rely on ready-made tickets prepared for them by political specialists. When the citizen makes up his own ticket in his head, as he does on the Short Ballot basis, the candidate must run to the citizen for approval instead of running to a group of self-established ticket-makers. It is this simplicity which has made it possible for Colorado Springs, for example, to prescribe that each candidate, before he is granted a place on the official ballot, must swear that he represents no political organization—nobody but himself and his prospective constituents.

It is this same simplicity which made possible the non-partisan ballot. A non-partisan ballot must be short. In most of the cities, thanks again to the Short Ballot, the Des Moines plan of the non-partisan primary has been copied to advantage, and the people, big, unorganized and clumsy as they are, have been able to take over the function of weeding out the aspirants and deciding the contests, without accepting the help of private machinery.

The Short Ballot is also responsible for the way the elective officials are held accountable after election. It is not enough to establish accountability for official acts in law. A bureau of

municipal research by diligent delving may determine who is to blame for departmental inefficiency in almost any city, but that is by no means the same thing as having every citizen in town know beyond doubt who is responsible, without any investigation at all. A citizen of a commission-governed city finding a street dirty knows that five men whom he can name by name are responsible, that they have power to raise enough money to keep the street clean and to hire the sweepers and to see that they do the work. In such circumstances, the citizen feels some satisfaction in making a complaint, and every city has seen a most spectacular revival of interest and activity in municipal affairs among the citizenship. If the commission were a very large one so that the individual members of it were not clear targets, there would be much less satisfaction for the citizen, since the failure of a member to give the proper attention to a reasonable demand would be less conspicuous and would start less talk. The fact that each commissioner in the small commission is public property, so to speak, and is known to every citizen, as the mayor alone was known in the old style plan, causes every citizen to take notice of any fault or failure to do right. The commissioner's reputation in the community is constantly fluctuating in accordance with these criticisms. When an attack is made on him, his conspicuousness forces him to reply, and his reply is waited for by the people. The same attack aimed at an obscure and inconspicuous alderman of the old regime would go unnoticed and the alderman's political strength might not fluctuate at all. A conspicuous official is naturally more sensitive than an inconspicuous one. Put a typical old style politician into the spotlight of a commissionership and he will break loose from old associations and temptations, because he is unable to withstand the public criticism which is launched at him if he fails to serve the whole people. Time and again we have seen this phenomenon in the case of machine mayors. In the commission government we have practically entrusted the power to a *board* of mayors.

There is no such thing in democratic problems as *inconspicuous* accountability. Conspicuousness is essential. It is only another way of saying that the people as masters of an elective servant can control him only if they see what he is doing. When all the people see what a man is doing, that man is, *ipso facto*, exceedingly conspicuous. Conspicuousness to a certain extent

means "standing alone." One of a crowd cannot be conspicuous—and there we are, back at the Short Ballot again! Government in the light is safer than government in the dark—that is obvious—and any system which provides for such concentrated scrutiny as the commission plan does should be able to show superior results over the old style jungle of obscurities.

The commission plan is more than a Short Ballot plan, however. It is a *fairly correct* Short Ballot plan.

An efficient organization must have a single head; not necessarily a single man, but at least a single board or committee in which all the reins of power are centered and unified. How often do we see voluntary organizations, ranging from a social picnic up to an informal association, go to pieces or develop serious inefficiency, not because of the weakness of any particular members, but from the simple lack of a single boss. Our old style governments are headless. Neither the mayor nor the council nor anyone else constitutes the court of ultimate appeal. Nobody is boss unless the people, with that singular political genius of the Americans, delegate their functions to a machine boss who will nominate and control puppets and keep them working in harmony by the use of unlawful influence.

The commission plan breaks with our old superstitions regarding the desirability of the "separation of powers" and provides a complete unification of powers; a unification that is absolutely essential to accountability. The single board has power to do everything and hence can be held responsible for any failure to do anything which the people want done. The commission is stripped of all excuses. It cannot say "it is the other man's fault." If the people demand low taxes, the commission has power to compel the departmental economies necessary to bring them about. If the people want higher departmental efficiency, the commission has power to raise the money needed for it. In a desire to please critics on both sides, the commission is under strong inducements to attempt to secure both departmental efficiency and low taxes. The knowledge that it will secure credit for good deeds and discredit for bad, by reason of the conspicuousness of the work of the individual members, sets even political hacks to resolute endeavors to please the public.

A ballot of five officers could be arranged along other lines, and, in fact, we frequently do have ballots in American cities as short as that, but the unequal division of power and the unequal

interest of the people in the officers, results usually in the overshadowing of some of the officers, both before and after election. Usually, the mayor gets all the limelight at the expense of the other elective officers. In the commission plan, however, the practical equality of the commissioners results in a correspondingly equal division of the limelight. Each man gets his share of public scrutiny and is not overshadowed. The New Jersey plan represents the latest developments on this point and is correct, inasmuch as the five men are elected without designations to office and choose the mayor from among their own number after election.

There are other features besides the Short Ballot which are characteristic of commission government, and are comprised in the usual definition of the plan, but I do not see how even the most ardent supporters of these features can prove that they are essential. The initiative, and referendum-by-protest are much lauded by certain enthusiasts, but Galveston and Houston, where the wave first started, have never had those features. For the same reasons it cannot be said that it is the recall which puts officials on their good behavior and accounts for the success of the plan. Neither can it be the non-partisan ballot. For the commission plan succeeded before any of these features were added to it, and has continued a success in Galveston and Houston despite their absence.

The Short Ballot is the magic in the commission plan and our ultimate salvation from government by politicians lies in the hope of universal recognition of the fact and the application of the same vital principle to our counties and states.

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**Municipal Government Administered by a General Manager—
The Staunton Plan. John Crosby**

In order to obtain a more economic and business system of municipal government, a large number of cities have, within the past ten years, adopted the commission plan, with which every person is more or less familiar.

The city of Staunton, Virginia, some three years ago adopted the unique and business method of government by a general

manager, whose prototype is found in every large private corporation. As every person is, no doubt, familiar with the cumbersome and expensive operation of municipal government through council committees, it is hardly necessary to dwell on the disadvantage of a system so antiquated, which should have been abolished years ago.

Councilmen as a rule are, or should be, business men, who have their private affairs to look after, which naturally consumes all of their time and attention, and it is not reasonable to presume that they, receiving neither pay nor thanks for anything they may do for the interest of the city, can afford to neglect their private interests to look after the business of the city. Hence, under the old system, the affairs of the city were run by the heads of departments with the assistance of a few councilmen who, in a great many cases, were contractors bidding for city contracts. Not infrequently, also, the heads of departments were men totally unfit for the positions they occupied, who had received their appointments and held their jobs through political or other favored influence. Under the present "Staunton plan" this is all a thing of the past, and the business of the city is conducted on the same general business principles as all large industrial private corporations are conducted.

The constitution of Virginia requires cities to maintain their mayor and council, and in cities of the first class, those having a population of ten thousand or more, two branches of the council are required. Therefore, we were unable to abolish the council and adopt a commission form of municipal government. However, as the provisions of section 1038 of the Virginia Code permits the council to establish such offices as may be necessary to properly conduct the city's affairs, the idea of a general manager was conceived and a general manager was elected by the council.

In discussing the merits of this system, I will compare it with that of a private industrial corporation, in order that the "Staunton plan" may be more fully understood and appreciated.

There is this difference between the municipal corporation and the private corporation. The private corporation is a business proposition entirely, while the municipal corporation consists of two distinct branches which do not conflict but work in harmony, the one with the other. By the two branches is meant the legislative and the executive. The executive is also sub-

divided into two branches. The one consists of the mayor and the courts who have charge of the enforcement of the laws, particularly the penal ordinances. The other, or business branch, is under the control of the general manager who takes the place of council committees, and has full charge and control of all the business of the city, gives bond for the faithful performance of his duty and is responsible to the council. In this article I am discussing the business portion of the executive branch of municipal government.

The "Staunton plan" is a democratic government "for the people and by the people." Neither the people nor the council have surrendered any of their sovereign rights; they have simply created an office known as that of a general manager, a paid employee, who devotes his whole time and attention to the business of the city and who is responsible to the council and the people, instead of intrusting the affairs of the city to the committees of the council. For each councilman thinks that the other members of the committee have more time than he has for looking after the business of the city, and each committeeman is of the same opinion—always willing to let the other fellow do it. As a result, that which is every one's business is no one's business, and the poor old city gets along the best she can to the detriment of the taxpayer in particular and the people in general. Would any private corporation consider for a moment conducting its business through committees composed of stockholders who receive no pay for such service, who have other business affairs to look after, and who would devote only spare moments, so to speak, to the business of the corporation? A corporation run on this plan would hardly produce dividends, neither would its stock be sold at a premium. Now, we have simply done as do the private corporations. We have elected a general manager, a paid employee, to attend to the business of the city and produce dividends for the taxpayer by keeping his taxes down to the minimum rate and by giving him value received for every dollar he pays into the municipal treasury.

The mayor is the official head of the municipality and corresponds to the president of the private corporation. The general manager of a municipality is the executive and business manager, whose duties correspond in every particular with those of the general manager of a private corporation. The council adopts the ordinances, fixes the rate of taxation, and formulates the

policy, and the mayor and general manager see that they are carried out. Under our constitution the mayor has entire charge of the police and fire departments. The general manager, however, does all of the purchasing for these departments on a requisition from the chiefs. We retain the finance, ordinances, and auditing committees, as their duties require very little time and attention, and serve as a check on the general manager. At the beginning of the fiscal year, the general manager submits his estimates to the finance committee, showing in detail the needs of the various departments, together with his recommendations. From this report the finance committee makes its recommendation to the council of the amount of taxes to be levied for the fiscal year. The general manager has no authority to fix the rate of taxation or to contract loans on account of the city, but this is all left in the hands of the finance committee and the council, who are the representatives of the people. The ordinance committee, with the assistance of the city attorney, draws up all of the ordinances and puts them in proper legal form to be presented to the council for adoption. The auditing committee passes on all of the accounts of the general manager each month, and makes a report to the council in addition to the regular quarterly report submitted to the council by the general manager.

The general manager is required to make quarterly and annual reports to the council, showing in detail all work done by him. In the general manager's office is kept a regular set of double entry books, which serve as a complete check on the office of the city treasurer. Both the general manager and the treasurer render monthly balances to the council, and these balances must agree, the one operating as a check against the other. The books in the general manager's office are kept in such a manner that a detailed statement can be had at any time on any account, and are always open for inspection.

There is nothing new in our system; we have simply adopted for the government of our city the business methods of the private corporation. We believe that our system is in many respects better than the commission plan. In Des Moines, for example, a recall was threatened against the commissioner who had charge of the police department. He said he was not to blame for conditions since the other commissioners had, against his will, installed a chief of police who defied him. It seems to

me that our system can be adapted and made just as applicable to a large city as to small cities and towns. Of course, in a large city, the general manager would require a large number of subordinates, superintendents, heads of departments, etc., but he would be the central and responsible head. And if adaptable to large cities, why not to counties and states? What would be the saving to taxpayers in the large cities if their business affairs were conducted on the same business principles as are the large private corporations, such as the Standard Oil Company, the United States Steel Corporation, the great railroad corporations and others? This system is not calculated to meet the approval of the political grafter; he prefers the old system as good enough for him.

As we have had this system in operation for more than three years, and passed the experimental state, it will quite naturally be asked, what have been the results? It has not only been a success in every particular, but has produced better results in a shorter time than was anticipated by its most enthusiastic supporters. The people, with few exceptions, are well pleased and would not, under any consideration, return to the old system. The casual observer cannot help noticing the marked improvement in our streets and sidewalks. If the citizens have any business with the city they know exactly whom to go to. They also know where and how every dollar of their taxes is spent, and what the results are. Under the old system, if a citizen had any business with the city he was sent from one party to another until he frequently became disgusted trying to find the proper party to attend to his case, and gave up all hope of ever being able to transact his business. To be able at all times to know exactly where and how your money is being spent, the cost of each particular piece of work, and the maintenance of each department of the city government, is certainly worth a great deal. This feature of the new system is sufficient to justify the maintenance of the office. I believe that it is the general opinion that under the old system we never did one-half of the improvements that we have been able to do under the new system, particularly in the matter of streets, sidewalks, sewers, and extension of water mains.

Under the old system our bonded debt was largely due to bad business methods. It was the custom to allow free rein to the council committees, and usually wind up at the end of

the year with a deficit. This would be repeated each year until the deficit grew to such proportions that it could be no longer carried as a floating debt, and would be taken up with an issue of bonds of the thirty year period kind. Since the adoption of our new plan, generally known as "The Staunton Plan," we have not increased our bonded debt nor raised our tax rate; notwithstanding the fact that two years ago the city voted out the saloon, thereby causing a loss in revenue derived from saloon licenses of \$12,500 per annum. In addition to this loss in revenue, we had the misfortune within the last year to have two catastrophes, a cave-in and a fire, which caused a loss of about \$40,000. Had it not been for these, over which we had no control, we could this year have reduced our tax rate from ten to fifteen cents on each \$100.00 taxable value.

By reason of the improvements in streets, sidewalks, sewers, water and electric lights, real estate values have increased fully 25 per cent. We have, under the new system, constructed 23,237 lineal feet of macadam street, 3,710 lineal feet of which is surfaced with asphalt binder; 15,083 lineal feet of granolithic sidewalks; 4,925 lineal feet of concrete gutters; 14,301 lineal feet of sewers; 14,789 lineal feet of water mains and 215 water connections, the latter increasing the revenue derived from water rents fully 15 per cent; we have increased the electric light and fire alarm service at least 10 per cent; improved our park, consisting of about 115 acres, 50 per cent; increased our police force, and raised the salaries and wages of a large number of officials and employees whose salaries and wages were small; established the office of city health officer, and increased the appropriation for schools 16 $\frac{2}{3}$ per cent.

By reason of the extension of the corporate limits one year prior to the adoption of our new system, there was added 100 per cent more area, which greatly increased the cost of maintenance of streets and sidewalks, and required the extension of the water mains, electric light, fire alarm, and sewer systems. The amount of money expended in the annexed territory was far in excess of the revenue derived from taxation in that district. Under the order of the circuit court in extending the corporate limits, the tax rate was not to be raised from the county rate for five years from the date said order went into effect, thereby causing a loss in revenue to the city of sixty-five cents on the \$100.00 taxable value thereof for five years.

As the accounts under the old system were kept in a general way, without regard to any detail, it is almost impossible, without consuming a great deal of time and labor, to make a comparison of the amount of money expended in the various departments and the results obtained, with that of the new system. I will illustrate this by only one item, that of granolithic paving. Under the old system we were paying from \$1.75 to \$2.25 per square yard for a very inferior grade of granolithic work which was done by contract; under the new system we are doing a much better class of work with hired labor under the supervision of our general manager (who is a practical engineer), for ninety and a half cents per square yard. Under the old system it was frequently found that the same article was purchased at different prices for different departments. Under our new system all supplies are purchased by the general manager in bulk, large quantities of supplies are advertised for and contracts are awarded to the lowest responsible bidder.

Under the old system the responsibility was distributed among the heads of the various departments and there was really no responsible head. Under the new system the responsibility is centered in the general manager. All departments report to him and work in harmony as a unit. Where there is unity there is strength; where there is division there is friction. A city's forces must be united and work in harmony to make its operations successful and obtain the best results.

In order to adopt this system properly, the council should be abolished, and in lieu thereof, a board of directors elected consisting of five members in cities of fifty thousand and under. In larger cities it would probably be well to increase the number of directors according to the population. One of these should be the mayor. Each director should be paid a salary commensurate with his duties. The board of directors should employ the general manager and give him sufficient authority to properly manage and conduct the business of the city. The general manager should hire and discharge all heads of departments and employees should be placed under civil service to prevent the general manager from abusing his authority or impairing the service, and at the same time to allow him to secure the most competent employees. That is, the city should be managed and operated in the same business manner as the private corporation.

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**City-Manager Plan and Expert City Management.
H. S. Gilbertson**

From the standpoint of general municipal progress, perhaps the greatest contribution of the city-manager plan is the environment it furnishes for expert city management.

Dayton, Ohio, to take the most conspicuous example, is a typical American city in a state where politics is rated as a basic industry and where politicians, presumably, have always regarded local offices as strictly local property. But Dayton forcibly tore itself away from the grasp of this tradition. Its new charter expressly states that the chief executive need not be a resident of the city; and the first commission elected under the new system, true to the spirit of the charter, chose the first city manager by a method which is altogether new to the practice of American cities. Week after week, they met in earnest consultation, going over the qualifications of some forty or fifty excellent candidates, until, finally, they determined upon a man in another city whose record of public service was of the very highest, but whose political claim upon the commissioners was absolutely *nil*. He secured the position apparently on pure merit.

But Dayton is not unique in this practice: Sumter, South Carolina, got its first city manager from another state. The second largest city under the new plan, Springfield, Ohio, has chosen Mr. C. E. Ashburner, who was formerly the city manager of Staunton, Virginia—a suggestion of the German system under which men go from city to city as professional municipal executives.

Too much emphasis cannot be laid on this removal of the residence qualification as applied to the most responsible and most remunerative position in the city. It is questionable if the limitations which the former restrictions have placed upon municipal development have been more than half realized, for the very life of what we are wont, invidiously, to call "politics" depends on an atmosphere of provincialism. To have imposed high qualifications for public service or to have thrown the offices open to outsiders would have shut out too many of "the boys." And so, city affairs have revolved in little circles of local

experience bounded by the narrow outlook of men who were in the game for today and out tomorrow and who, for the large part, if honest, were primarily interested in the petty and temporary emoluments which went with their jobs. Automatically, there has been excluded from the public service a great class of public-spirited men who have had all the potentialities for serving the public in an effective way. The experience of distant cities has been neglected, with the result that many costly administrative blunders have been perpetrated, which an executive from the outside, with a broad knowledge of city needs, could have forestalled.

In contrast to this state of affairs, the city-manager plan makes municipal management a field of unlimited opportunity to capable men and encourages a friendly attitude toward scientific ideas of government. Wherever the true spirit of the plan is observed, the broad experience of distant cities will be brought to bear on local problems of finance, engineering, public health, recreation. What the sponsors for the municipal reference libraries are now trying to do under a serious handicap, and with none too much encouragement from official sources, will have a compatible official environment.

But the elimination of the residence requirement is not more significant for the growth of expert administration than the very structure of the city-manager plan. The new system, while keeping true to the doctrine of the unification of powers, provides for a complete divorce of the personnel of politics from the personnel of administration. It recognizes that these two functions of government demand the services of two distinct types of men. It conserves the principle of democracy by keeping open to the representative citizen the elective office of commissioner, or councilman, but the political element ceases at the very point where the organization for the actual operation of the government begins.

This is a radical departure. Heretofore our conception of democracy has impelled us to carry politics much further down into the administration. We have feared bureaucracy, and to lay that particular ghost, have installed at the head of departments men whose chief qualification, in many cases, seems to have been their obvious unfitness for administrative work. The trained man has been too often rated the enemy of free government.

But the experience of American cities has proved the folly of this theory. No bureaucracy was ever more insolent, more unresponsive to popular wishes than the very guardians of democracy themselves at the heads of some of our city departments. The theory of the city-manager plan, on the contrary, is that the interests of the people are safe when the controlling or governing body, and that only, is "politically" constituted.

Another feature of the plan which favors the highest type of public service is the scheme of administrative organization. Every self-respecting executive demands a clear and unmistakable definition of his powers and duties. In the city-manager charters, with one exception (Sumter), this definition is adequate. Responsibility within the administration is focused in a single officer. His powers are commensurate with that responsibility; he is free to choose his own instruments, subject only to the merit system of civil service, which, when properly administered, is the kind of check which aids rather than obstructs.

As to compensation, this, too, has in practice thus far been made attractive. The commissioners have seemed to understand that the qualities desired in their city manager must be purchased at an adequate remuneration. Sumter, with a population of 10,000, has fixed the salary at \$3,600, Phoenix at \$5,000, La Grande, Oregon at a maximum of \$3,600, Dayton at \$12,500.

Tenure of office, under the new plan, though not fixed, seems reasonably protected, because of the publicity attached to the city manager's acts and his opportunity to make good with the people of the city. An additional assurance that improper influence will not be brought to bear upon him is the fact that, in self-defense, a commission elected upon a non-partisan basis and representing a clear majority of the people, and being conspicuously powerful and responsible, will hardly care to select an inferior person of the political type to carry out their wishes. Greater protection than this it would be difficult to give, without interfering with the complete responsibility of the governing body itself.

Herein appears to be a new field of opportunity for civil service commissions. These bodies have long been investigating the fitness of candidates for the lower and more or less standardized positions in the city's service. The city managership, however, presents new difficulties. It has not been standardized, and perhaps it never will. Elements of personality, training, and

experience enter in a higher degree than in the case of such posts as the librarianship in Chicago, or the chieftainship of the New York fire department. The city manager will come squarely and continuously into contact with the public, and should be a politician in the sense of being an accurate judge of the public mind; the kind of a man who could get elected to public office under a favorable electoral system. He must be prepared to create public opinion and to forestall criticism. Moreover, the city manager must be a person of vision and initiative, with a constructive grasp of the destiny of American cities, for while he is in theory the servant of the council, he will be no errand boy. He will in actual fact be the chief policy-maker of the city, while the council serves as a checking, controlling agency. There is no bigger job in America.

The description, of course, applies to the rare 100-per-cent-efficient man. But there are, and have been, men of this type, George McAneny, Cyrus C. Miller, John Purroy Mitchel, all of the last administration in New York City, approach this standard. Colonel Waring was a man of such qualifications. It is doubtless owing to the former lack of opportunity that more of them have not come to the surface. Without doubt the engineering profession alone could be made to yield up many.

But the growth of this new municipal system creates a far wider problem than that of the mere selection of executives from the visible supply of material. If the city-manager plan develops as rapidly as the commission form (and the present indications are that it will), whence come the city managers? The universities and the schools of engineering and technology furnish but a very imperfect preparation for this field. We have no schools of municipal administration, and even our graduate schools of political science content themselves with a study of the mere skeleton features of the municipal problem. In Germany, at least two cities (Düsseldorf and Köln) have established such schools as a part of their municipal civil service system. Their graduates go out from these into important executive positions in smaller cities, and, if successful, their services are in growing demand in scores or hundreds of cities. Municipal management there is actually a recognized profession.

The future of the city-manager plan, as of all experiments, at the present moment, is, of course, problematical. But the principle of expert, non-political management is fortified by at

least one striking bit of municipal experience. The school systems in our largest cities have passed through the political period; subsequently through a period of disgust for the political management. But for a long time, in many cities, their management has rested upon something approximating a professional merit basis. Back of this development was a growth of civic consciousness. It began with the schools; it is rapidly coloring our views of public health administration. Politics is gradually being weeded out of the police systems. Where will this tendency stop? Is there any likelihood that it will cease to commend itself until we have finally discovered that, after all, "politics" has no proper place in any department of city administration—that its presence anywhere in the system is conducive to expensive provincialism and that its very existence breeds inefficiency and extravagance.

Review of Reviews. 45:82-5. January, 1912

Short Ballot in American Cities. H. S. Gilbertson

It is eleven years since the Galveston disaster. But out of that exigency, with beginnings in the merest of accidents, has grown a movement which has re-created the structure of one hundred and sixty American cities, shaken some of the most cherished traditions of our politics, and put a new note of optimism in our political thinking.

Galveston's rehabilitation needed a strong, efficient direction from its governing body; its complex unworkable government could not give it. Straightway, without resort to theory, some of the leading citizens proceeded to map out a very simple plan of control at the hands of five men, who were to have ample powers and be unhampered in their choice of means. The plan was adopted and worked exceedingly well, but it was not democracy, for the commission was chosen by the governor. The legislative act creating it was declared unconstitutional on these grounds. But it was revived in substantially its original form with this vital difference: that the "commissioners" were to be chosen by popular vote.

The shifting of control from governor to people caused uneasiness to the local leaders, who were only too familiar with the results of the popular rule under the old government. But

the electors made good this time by electing to office the very men whom the governor had appointed. And for ten years they have been reëlecting them again and again, so that with one exception the original commission has been at the helm in Galveston till this year.

It was a new phenomenon; the people actually selecting for office not men who had been identified with office-getting organizations, but bankers and business men of ability with reputations to sustain and interests of their own to protect. So that the Galveston experiment not only solved the local problem of efficient government, but it did so without a sacrifice of democratic principles. In fact, the theory which has grown up out of Galveston's success is that the simplified conditions of citizenship have been all that is really needed to put the people of a community in effective control.

From Texas to Iowa

The idea spread to Houston, which adopted in 1905 not the exact plan of organization, but its essential simplicity—five men, the only elective officers, copious in power, conspicuous. Two years later Dallas fell in line, and in the same year the idea took root in Des Moines. From then on the "commission government" idea has been a national possession, for the citizens of Des Moines did not content themselves with having a popular and workable government for its own sake, but advertised it far and wide as the city's chief civic asset.

In obtaining permission from the state of Iowa to adopt the commission form of organization, Des Moines hit upon a device which has accelerated the movement in the country by several degrees. This was the adoption of a state-wide permissive law, which made it possible for any city (within certain limits of classification) to put the plan into operation by a popular election, called upon petition of 25 per cent of the qualified electors. Seven Iowa cities reorganized under this arrangement. South Dakota adopted a similar law in the same year.

Commission Laws in Twenty States

In 1907 and 1909 Kansas adopted two such laws, for her first- and second-class cities, respectively, and now every important city in Kansas is under the commission form. The other states which have adopted such blanket laws are Illinois, Ken-

tucky, Louisiana, Mississippi, North Dakota, South Carolina, Texas, New Mexico, Wisconsin, Alabama, Idaho, Montana, Utah, Washington, Nebraska, New Jersey, and Wyoming. The six last named have enacted such legislation during the past year. The home-rule charter states of California, Oregon, Colorado, Washington (cities of over 20,000 population), Michigan, Minnesota, and Oklahoma, all have "commission" cities. In Massachusetts, North Carolina, and Maine several cities have charters by special act of legislature. So that altogether cities with a total population of nearly four million either are now or shortly will be governed under this plan.

Galveston is a city of moderate size, with a population of 36,981. For a time the movement was identified with cities of this class, but later it was spread both to the larger and smaller communities so that now in the "commission" group are hamlets like Canton, S. D., too small for a separate census enumeration, and Oakland, Cal., Omaha, Neb., Birmingham, Ala., and Memphis, Tenn., all having a population in excess of 100,000. Buffalo with a population near 500,000 has voted favorably on the idea, but has been unable thus far to bring the New York legislature to see it in the same light; and some enthusiasts even suggest the "commission" form for New York City.

On November 7, last, Lowell and Lawrence, Mass.; Sacramento, Cal., Chanute, Kans., Lexington, Ky., and Fremont, Mich., adopted the plan. The people of Salt Lake City elected the first commissioners under the new system. Soon also Paducah, Ky., Eugene and Salem, Ore., and Pasadena, Cal., will pass upon the question. In Denver, Colo., Baltimore, Md., and Wheeling, W. Va., the inauguration of the new system is being vigorously urged by the leading commercial or civic associations of the respective cities. It is doubtful if any specific political reform ever spread with such rapidity and achieved such popularity within the short period of four years which is virtually the age of the movement, reckoning from the time of its adoption in Des Moines.

What Is "Commission" Government?

The particular plan of organization adopted in Des Moines is not the universal type. When the charters are analyzed it is found that they vary somewhat widely in detail. The basic structure of all, however, is this: A body of five men (three in

smaller cities, seven in Omaha) on each of whom is devolved the supervision over a department of the city's activities. Thus in Galveston, there are four departments (the mayor in Galveston is not specifically assigned to one), designated, (1) Finance and revenue, (2) Streets and public property, (3) Water and sewerage, (4) Police and fire. The five men sit as a body in a deliberative capacity. All of the commissioners are elected by a vote of the whole city. Normally and logically they are the only elective officers, but a few charters provide for a separately elected fiscal officer on the theory that the audit of the commission's accounts should be conducted by an officer who is not one of their servants. Under the Alabama law this separate audit is conducted by a state examiner.

The Des Moines charter added to the structure what were at the time unknown and untried "devices" of the initiative, referendum, and recall, measures designed to make doubly sure that the people would control. This instrument also included civil service and corrupt practices provisions and a scheme of non-partisan elections. These features, however, were all taken from older forms; and they constitute no essential part of the commission movement, inasmuch as one or all of them are absent from nearly every law except the Iowa statute. The initiative and referendum have rarely been used, and of the recall the most striking instances of its use lie outside the commissioned-governed cities. The only commissioners ever removed were those of Tacoma, Wash., and during September, 1911, the mayor and one other commissioner in Wichita, Kan.

The Galveston plan was hewn in the rough. Wide application has shown that certain adjustments must be made in localities to make the instrument thoroughly responsive to the will of the people. Here is a rather fine question in social psychology: How to arrange the popular selection of the elective body in such a way that every member of it shall receive such adequate scrutiny as to secure his full responsibility to the voters of the city. In Wichita the mayor was separately designated on the ballot, *i. e.*, voted for as mayor, although under the Kansas law he is no more important than any of his confrères. But the people thought he was more important, with the result that the interest in the Wichita elections has been centered on the mayor, at the expense of the other commissioners. To remedy this defect, a radical step has been taken in New Jersey and Nebraska:

a commission of five is elected by the people and from their own number the commissioners select a mayor. Thus every candidate for commissioner elected is, potentially, the head of the city government, and, presumably, receives a corresponding share of attention at the hands of the electors.

The Sacramento, Cal., charter, which was voted on November 7, is a remarkable one in several respects: the board of education is wiped out and its functions vested in the city council, one of whom will be commissioner of education; the commissioners will be elected in rotation, one every year (the Short Ballot idea reduced to its lowest terms); the system of recall is unusual and almost unique.

Perhaps the most radical proposal of any is that which has been made by the Board of Trade of Lockport, New York, in its bill which it introduced in the last session of the legislature. Under this proposal, the Short Ballot feature is retained; *i. e.*, the five elective officials are responsible for the entire conduct of the city's affairs. But the council (commission) is a regulative body only, like a board of directors. The individual members would have no special administrative duties and responsibilities as in Des Moines. The administrative work would be conducted under the direction of an appointive expert to be known as the city manager, who would have full powers of appointment and removal. The arrangement would give a type of government exactly parallel to that of a private business corporation. It is also a close approximation to the German type of city government, in which the *Bürgermeister* plays the part of manager. The advocates of this scheme point out the difficulties, which have arisen under the Des Moines type, of securing the proper kind of men to perform administrative work by popular election. They also claim that this plan affords a better opportunity for representation for the different interests in the population, since no man would be excluded from public office for lack of executive training.

Business Efficiency

A most striking feature of this movement is the vigor with which it has smitten some of the favorite traditions of American political thought. Theorists have, in fact, furnished less resistance to the spread of the plan than any party to its discussion; and the enemy has rested less upon theoretical objections than

in any prominent constructive political movement in the past. Thus the theory of separation of powers, familiarly known as "checks and balances," has come in for some heavy hammering. The old style of city government was devisedly complex, studiously "checked," and ingeniously balanced. But the commission plan rudely brushes the theory of separation of powers aside.

The fruit of this iconoclasm is reasonably inferable from the mass of testimony to the business efficiency of the system. The word "mass" is used advisedly, for, in view of the variations of the individual charters, any deductions in support of the essential commission type must be comprehensive in scope. These are some of the results reported:

Dallas, Tex. A deficiency of \$200,000 wiped out and a credit balance established in two years.

Topeka, Kan. Municipal bonds sold at private sale at a higher rate than under the old administration.

Burlington, Iowa. The old city debt refunded in serial bonds bearing $4\frac{1}{2}$ per cent interest instead of 6 per cent as formerly.

Columbia, S. C. Extensive reduction in budget for corresponding items under the old administration.

Hutchinson, Kan. Bonds selling at a lower rate than ever before.

Cherryvale, Kan. The bonds of the city selling at par for the first time.

Corpus Christi, Tex. Extensive improvements in streets and sidewalks, etc.; property values greatly increased.

Chattanooga, Tenn. Bonds of the city selling at a better premium than formerly.

Bartlesville, Okla. City warrants worth par and city deposits now bearing interest.

Houston, Tex. The credit of the city restored from eighty cents on the dollar to par, and the tax rate reduced from \$2.00 to \$1.70 on the same valuation.

Leavenworth, Kan. Bonded indebtedness reduced by \$112,000 in three years while the tax rate remained stationary.

Haverhill, Mass. A saving of \$97,900 effected by the first year's administration.

This evidence, of course, is *ex parte*. Not every commission has realized the hopes of the dreamers; not all of the cities have reduced the tax rate,—Oakland, Cal., for example, has materially raised hers. But this fact is unimportant; for efficiency has a wider meaning in that, while some cities have a constituency demanding retrenchment, more often the demand is for expansion. The significant thing is this: Supporting the activities of every city is an undercurrent of popular optimism

and hope, if not actual satisfaction. Even in Spokane, Wash., where the selection of commissioners is said to have been somewhat unfortunate, there is a disposition to see the experiment through. No city has ever gone back to its former plan of government, nor has any evidence appeared that any of them is seriously thinking of so doing; not even Tacoma, in spite of recent unpleasant experiences with the mayor and two members of the council whom she found it convenient to recall. In commercial and financial circles such a sentiment has a ratable value; to the commissioners it has been found to be an earnest of faith and confidence which begets a courage to attack bigger problems and conditions.

The Short Ballot as a Solution

The commission government has found, not a perfectly defined, but a roughly formulated solution for the residuum of big political evils which previous reforms, like the merit system of civil service and the Australian ballot, have not reached—the solution of the Short Ballot. This has been formally enunciated by the National Short Ballot Organization, as follows:

First—That only those offices should be elective which are important enough to attract (and deserve) public examination.

Second—That very few offices should be filled by election at one time, so as to permit adequate and unconfused public examination of the candidates.

There would be, not an addition of new features and “devices” to the original political structure but a re-creation of the structure itself, starting at its point of contact with the individual citizen. The re-created structure would have in mind the capacities, *and the limitations* of the American citizen of this, the twentieth century, and it would not overtax those capacities or exceed those limitations. Governor Woodrow Wilson, the head of this new movement, expresses himself in these words:

Simplification! Simplification! is the task that awaits us; to reduce the number of persons voted for to the absolute workable minimum, knowing whom you have selected; knowing whom you have trusted, and having so few persons to watch that you can watch them. That is the way we are going to get popular control back in this country, and that is the only way we are going to get political control back. Put in other elected officers to watch those that you have already elected, and you will merely remove your control one step further away.

The commission plan has made the adjustment at least fairly

well for a number of our cities. Will the movement stop here? Is not the broad doctrine of simplicity germane also to the problems of states and counties?

Wider Short Ballot Prospects

At a special election in California on October 10, the state adopted three Short Ballot amendments. One, frankly such, took the clerk of the supreme court off the ballot and vested his appointment in the supreme court. Another made the members of the state railroad commission appointive by the governor. The third provided a plan for county home-rule charters under which it will be possible for any county to draft a scheme of organization suited to local needs. The amendment specifies that all county officers except county judges and supervisors may be made *appointive* instead of elective as at present. Thus it will be possible for a big county like Los Angeles to shorten its ballot from forty-five to about twenty-three officers, by reducing the elective list.

The California election, by the way, is the first step of the Short Ballot movement from the cities into the wider fields of state government.

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Lockport Proposal. F. D. Silvernail

Municipal conditions in the city of Lockport are much the same as in many others which have suffered from the typical ills of American democracy. The city has a population somewhat under 20,000, and has been ruled for years by a triumvirate of bosses. Popular control has been a negligible quantity, and the rule of the self-appointed trio has been anything but one responsive to the will of the people of the city. As a natural consequence of the aloofness of the government, needed improvements have been delayed for years at a stretch, and when actually undertaken, have been executed in a most inefficient and expensive manner. It was these conditions which led the Lockport Board of Trade to become sponsor for the plan of municipal organization which has come to be known as the "Lockport proposal," which was embodied in a bill introduced into the 1911

session of the New York legislature and supported by the Commission Government Association of New York State.

The "Lockport plan" is built upon the same basic principle as the Des Moines commission government law, but it aims to correct what seem to many to be illogical features of that plan. The commission government movement is based primarily upon the theory of the union of legislative and administrative powers in the hands of a small body of men who are the sole responsible agents of the people. It is a theory, borne out in practice, that this small group of men, because of their conspicuous position, tend to feel a responsibility to their constituents in a degree which virtually restores government to the people. The Des Moines plan, however, does not carry this theory of responsibility to its logical conclusion. The commission of five men are not collectively responsible for the acts of the municipality. Neither are the individual commissioners. At first blush these statements may startle some readers, but note carefully the following hypothetical situation. Let us suppose that the majority of the commission have passed an ordinance providing for the repavement of the main thoroughfare. Let us suppose that the commissioner of streets and public property was not a member of the majority which passed the resolution, and happens also to be a man of independent ideas. What action can the responsible commission take to force one of its own number to execute its orders? Now suppose another situation: The commissioner of streets is desirous of placing electroliers in the public squares. Public sentiment is clamoring for such action, but on looking over his annual budget, the commissioner finds that it is insufficient to cover this added expense. He applies to the commission for a larger appropriation and they refuse. In that case, who is responsible for the inaction of the city government? Cases of such conflict have actually been brought forward in some of the commission governed cities.

Under the Lockport plan responsibility would be vested in five men, acting always collectively. They would meet with no such difficulty in enforcing their orders as in the case cited, for the party responsible for the actual execution of orders would not be one of their own number but an appointive creature of theirs—the city manager. In short, the Lockport plan corporation, with the city council corresponding to the board of directors and the city manager to the general manager. This

city manager is the unique feature of the "Lockport plan." But while it is a unique proposal in the organization of city governments; it is by no means novel in other forms of organization. Not only have private corporations reached what appears to be their ultimate form in this particular type of organization, but it is the plan which operates in large school systems throughout the United States, in which the superintendent of schools corresponds to the city manager. It is also a very close approximation to the German type of city government, in which the *Bürgermeister* is the central administrative agent and the council is the ultimate responsible body, which lays down the policy of the municipality. Of course, the German cities look back upon a totally different set of traditions from the American. Still, the naked question of municipal administration is not one which is concerned with the political genius of a people. Certainly, under the "Lockport proposal," the voice of the people has just as effective a medium as under the Des Moines plan. And, once we concede this fact, there remains the simple question of best organization.

The "Lockport proposal" looks forward to a time when municipal government will be conducted by real experts. To suppose that popular election in the great majority of cases will secure expert service seems almost fatuous. Even the most educated of our citizens must fail if called upon to choose, let us say, between the technical qualifications of two candidates for a position which requires an engineer's training. On the other hand, an appointive expert could be found to take general charge of the city administration who could select trained assistants under the most favorable conditions. The city manager himself would, supposedly, be a rather high salaried officer and might be taken from any part of the country. There would seem to be in this country ample material from which to choose such an officer. In the event that such a proposal should receive wide adoption, it is easily conceivable that there would arise in the United States a class of municipal experts. The profession would be a most alluring one to men of talent and vision, and it seems hardly too much to suppose that we would come to have a combination of democracy and municipal efficiency which has never before been effected.

The Lockport plan, again, has certain possibilities which seem to place it on a higher level as a democratic instrument than the

ordinary commission plan. The latter system has been strongly advocated by "business" interests. Labor, for this reason has frequently looked askance at the movement, and perhaps not always without some just cause. In order to achieve true democracy, every important element in the city should be represented in the council, but if every councilman is to be both a representative of certain class interests and desires, and also a municipal expert, what is labor to gain? Many men who would prove most excellent representatives of labor would fail when confronted with problems of municipal administration. What is a barber, for example, apt to know about the administration of finance? And yet that same barber may be the truest representative and best spokesman of labor in the community. The "Lockport plan" would not embarrass him by requiring him to take charge of a department, but would simply require him to exercise his representative functions on the council.

The salaries which are usually paid under the commission plan are not sufficiently large in all cases to attract real experts. If the best brains of the community were required simply to pass judgment on policies and leave the execution of those policies to a salaried chief executive, many men of large calibre would be willing to devote to the city's business the small amount of time and energy which such a commissionership would require.

On the whole, then, it seems as though the "Lockport plan" has made a certain contribution to the solution of the twofold problem of municipal government in this country, viz.: that of securing administrative efficiency, which at the same time preserves all the essentials of democracy.

Aside from the features above noted, the Lockport plan embodies the usual minor features of the commission plan, including non-partisan nominations, elections at large, initiative, referendum, recall, etc. One minor feature, however, should be noted viz.: nominations by deposit. Under this plan, the candidate, in lieu of a petition, may put up a deposit of fifty dollars, in order to have his name appear on the ballot. In case he receives fifteen per cent or more of the total vote cast, or turns out to be, in other words, a serious candidate, his deposit is returned. This method is borrowed from the Canadian election law, and is believed to be a wise alternative to the system of nomination by petition.

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City-Manager Charter of Dayton. L. D. Upson

The Dayton charter is an endeavor to retain the strength of the commission plan—the concentration of policy determining authority in a small non-partisan legislative body—and to add to it a permanent administrative force of trained executives. Neither the commission nor federal scheme of government secures this last end. The federal ward plan of representation, and the biennial change of departmental heads, has been discredited. And investigations showed that commission government, while an improvement, had not secured the desirable efficiency in city administration.

It does not appear practicable to select men from the average walks of life, and require them not only to determine the policies of a municipality, but also to direct the technical details of conducting a city department. The obvious solution of this problem is the complete separation of the legislative from the administrative functions of government in conjunction with a short non-partisan ballot. This was effected in the Dayton charter, which was modeled closely upon the Lockport plan. The representative body is limited strictly to legislative duties—determining what shall be the large, general policies for the government. The execution of these policies is delegated to an appointed city manager held definitely responsible for them.

Five commissioners or councilmen, elected at large on a non-partisan ticket for a term of four years, constitute the legislative division of the city's government. After consideration of both proportional representation, and the preferential ballot, it was decided that nominations be secured by at least two per cent of the registered voters signing a petition to place their candidate on the primary ballot. At the first election five candidates were selected, the three receiving the greatest vote to serve for four years. The remaining two hold office for two years.

Thus the board of commissioners becomes a continuous body, two members, then three members being elected every alternate two years. In this manner a legislative body will be assured, a portion of which will be always familiar with the affairs of the city; and at the same time there will be a tendency to prevent

the wholesale removal of administrative officers, such as might be attendant upon a quadrennial choosing of entirely new representatives.

The commissioner receiving the highest vote at the election at which three commissioners are chosen—that is once every four years, acts as mayor. His major duties are to act as chairman of the commission and to represent the city as one of the members of the county budget commission for the fixing of the tax rate. In addition he is recognized as the official head of the city by the courts, and by the governor for the purposes of the military law. There is no veto power, and the mayor is in reality only the ceremonial head of the government.

Objection has been made to this method of choosing the mayor, in preference to having candidates run for this designated office. It is now possible for any disgruntled faction by failing to vote for all but one candidate to insure the choice of the most undesirable member of the commission as mayor. This has not proved true locally, but is doubtless a theoretical objection with considerable foundation.

Commissioners receive a nominal salary as only a portion of their time is necessary for the performance of their public duties, which may be summarized as:

1. The appointment of a city manager.
2. The enactment of the city appropriation ordinance, and approval of the mayor's budget upon which the tax rate is based.
3. Enactment of police ordinances.
4. Enactment of resolutions and ordinances determining upon public works to be paid for by special assessment.

Aside from the city manager the commission is empowered to appoint a clerk, several members of an unimportant county board, and a non-partisan board to execute the civil service clause of the charter. The appointments of the city manager may be made *from the entire eligible list*, as determined by the civil service board, and dismissals can become operative only after an appeal to that body has been heard. Such latitude in employing would permit a commission and manager so inclined to create a political machine almost impregnable. On the other hand, the privilege granted of a dismissed employee to appeal to a board whose decision is final, practically compels the manager to prove incompetency beyond any question. The manager is directly responsible, not only to the commission, but to the

public for the efficient administration of the city, and inability to dismiss freely undesirable employees would seem to throw an unwarranted obstacle in the way of that accomplishment.

The city manager, appointed by the commission, is the administrative head of the city government, and responsible for all departments. This administrator is appointed without regard to political beliefs, and "may or may not be a resident of the city of Dayton when appointed." But whether the manager may be a resident of a state other than Ohio is questionable. The state constitution requires that "no person shall be elected or appointed to any office in this state, unless he possess the qualifications of an elector." The manager holds office at the will of the commissioners and is also subject to popular recall. This last provision is of course a departure from recognized good practice, but was believed necessary to secure public endorsement of so radical an innovation in the method of local government.

Doubtless also the position and political independence of this executive would have been strengthened had it been made necessary for the commission in discharging their employee, to prefer formal charges and hold a public hearing upon the same. The Short Ballot and the recall will probably inhibit a repetition of the political jobbery in the dismissing and hiring of a manager, which is seen so frequently in the instance of school superintendents, yet it might have been well to make this prohibition doubly sure.

Summarized briefly the duties of the manager are as follows:

1. To see that the laws and ordinances are enforced.
2. To appoint, and except as herein provided, remove all directors of departments and all subordinate officers and employees in the departments in both the classified and unclassified service.
3. To exercise control over all departments and divisions created herein or that may be hereafter created by the commission.
4. To attend all meetings of the commission with the right to take part in the discussion but having no vote.
5. To recommend to the commission for adoption such measures as he may deem necessary or expedient.
6. To keep the commission fully advised as to the financial condition of the city, and

7. To perform such other duties as may be prescribed by the charter or be required of him by ordinance or resolution of the commission.

It will be noted that these duties are in no way political or policy determining, and their delegation to an appointive officer cannot be considered as relinquishing any rights that the public may have in the government.

For administrative purposes the municipal government is divided into the

1. Department of law.
2. Department of public service, comprising the construction and maintenance of streets, sidewalks and sewers; collection and disposal of waste; and management of public utilities.
3. Department of safety, comprising the divisions of fire and police, building inspection, and the enforcement of ordinances relating to weights and measures.
4. Department of finance, comprising the divisions of accounting, and the purchasing of supplies, the office of treasurer being abolished as a duplication of the work of the auditor.
5. Department of public welfare, comprising the divisions of health, parks and playgrounds, charities and correction.

At the head of each department is a director, chosen by the manager, responsible to him and to the commission for the economical, efficient and proper conduct of the division. The commission may, however, by ordinance discontinue any department and determine, combine and distribute the functions of government as they see fit. The municipal judicial election and educational systems are by law without the jurisdiction of the charter.

It is possible, however, that the division of the government into these five principal departments, inherent in the commission plan, was too slavishly copied in the local document. The newly-elected commissioners seriously considered exercising their authority to abolish this proposed organization and increase the number of divisions or bureaus to a total of twelve. While this proposal would increase the supervisory duties of the manager, it would have made the head of each division an actual working unit rather than an administrative position. The salaries of the supervisory places abolished could have been distributed in part to the heads of divisions, with a view to securing a higher grade of executive, and very advisedly might have been

partially invested in securing an assistant city manager, thereby insuring a more than one-man organization. The manager might then resign, be recalled, fall ill or be otherwise incapacitated and there would be ready to assume his responsibilities, as manager, a subordinate fully familiar with the duties, program and organization of the government. Under the Dayton charter so many obligations devolve upon the manager personally, some of which unfortunately are of a purely routine character, such as the signing of all the orders for city supplies, that a few days' neglect would bring the local administration into grave disorder.

During the campaign antecedent to the writing and adoption of the charter, considerable discussion was raised concerning the proper status of the city solicitor and auditor in the proposed plan. It was contended that the financial officer, being accountable for any illegal payments by his department, should have a discretion independent of managerial influence. It was also advanced that an independent solicitor would be ample security to this end, since the auditor must accept the opinion of this officer as to the legality of financial transactions of the municipality. At one time it was proposed to have both the solicitor and auditor appointed by the commission rather than by the manager. This proposition probably arose from a natural reluctance to desert entirely a government of checks and balances so long common in American practice. It was, however, a struggle between political theory and a desire for concentrated authority in which the latter prevailed. The correctness of either position can only be empirically determined.

The broad social character of the document may be judged from the creation of an entire department concerned with the welfare of the citizen body. Not only is the promotion of public health, parks and recreation centered in this division but the director must provide for research into the causes of poverty, delinquency, crime and disease, and other social problems in the community; and must by lectures and publicity facilitate a wider understanding of these questions. If this section is made effective in the same spirit in which it was written, the city government will not only reflect the progressive socialized opinion of the citizen body, but will create it, and the city itself become an active leader in promoting the difficult art of community living.

Unique in American practice is a provision borrowed from Germany, which provides for the possible appointment of citizen boards to act in an advisory capacity with departmental heads; and the appointment of a similar city-plan commission is made mandatory. No powers are granted such bodies, except that their recommendations become departmental records, and there must be regular stated meetings.

In addition to the easy amendment of the charter, democratic government is safeguarded by the provision for the initiative, referendum and recall. It is unfortunate, however, that the ballot at recall elections not only contains the proposition for recall, but also the names of such candidates for the possible vacant office, as may have secured the required number of signatures. No recall petition may be filed against any officer until six months after the election or the failure of a recall election against him. The percentage of electors required to initiate or refer legislation and to recall officials is the same or less than that found in over one-half of the cities having similar legislation provisions, but is relatively high when compared with the percentage—ten per cent—necessary to amend the charter. This discrepancy was knowingly incorporated from a desire to prevent the harassing of the commission by disgruntled political elements.

Aside from the separation of the legislative and administrative divisions of government, it is in the procedure laid down for the operation of these latter branches, that the charter is most notable. While all government is dependent on the quality of chosen officials and the extent of citizen interest, yet it is believed that the charter provisions governing budget making, accounting procedure, the purchasing of supplies, service and operating cost, standardization of duties and compensation, etc., are of such a character as will tend to insure a desirable minimum of efficiency in city government even should there be an after-election slump in public interest. No matter what character of men are later chosen to administer the government of Dayton, they must of necessity use the most modern methods in that administration—methods which most readily raise danger signals at neglect, inefficiency or corruption.

Frequent comment has been made upon the almost universal failure of commission-governed cities to install modern scientific methods of city business, and upon the fact that a few cities

operating under a cumbersome form of federal government have, by the adoption of these same hitherto neglected ordinances, placed themselves in the first rank of efficiently governed municipalities. Even were there no lesson to be drawn from these circumstances, it is to be anticipated that, in developing a system of government modeled closely upon the plan of incorporated commercial organizations, an endeavor would have been made to include also certain characteristic features of their management. Most notable of these is perhaps the care used in the collection and disbursement of funds.

Beginning with the appropriation of funds, it is required that departmental estimates shall be compiled by the manager from detailed information registered on uniform blanks. In substitution for the heterogeneous division of expenditures formerly prevailing, the new classification must be uniform for each of the main functional divisions of all departments, and departmental requests must give in parallel columns the following information:

- (a) A detailed estimate of departmental needs.
- (b) Expenditures for corresponding items covering the past two years.
- (c) Expenditures of the present year, including transfers.
- (d) Supplies on hand.
- (e) Increases and decreases.
- (f) Other information required.
- (g) Recommendations of the city manager.

Additional provision is made for the publication of and public hearing on the budget estimate before it can be enacted into law. This is a notable gain. During the old régime the public was recently able to obtain an informal hearing on the departmental estimates, but was never allowed to learn the contents of the final appropriation ordinance until it was presented to council for approval, and then it was not unfrequently amended from the floor.

For the regulation of the accounting procedure it was decided to incorporate two sections found in the Cleveland charter which require that "accounting procedures shall be devised and maintained for the city *adequate to record in detail all transactions affecting the acquisition, custodianship and disposition of values.*" A corollary clause, but one upon which the above depends for its interpretation reads in part as follows: "the

commission shall cause a continuous audit to be made. . . . Such statements shall include a general balance sheet, exhibiting the assets and liabilities of the city supported by departmental schedules, and schedules for each utility publicly owned or operated; summaries of income and expenditure supported by detailed schedules; and also comparison . . . with the last previous year." A strict accounting interpretation of the terms "income and expenditure" will place the city accounting upon a basis of *credits accruing and liabilities incurred* rather than the usual *cash receipts and disbursements basis*, upon which most municipalities operate.

Before the holiday season of 1912 the city found itself unable to pay the salaries of the police and fire forces, although several hundred thousand dollars were on deposit in other funds, and all credits of the police fund had not been collected. At the time the city was paying interest on a large floating debt, for one department and loaning other money to the banks at reduced interest. Recalling this anomaly the paper demarcation between funds was withdrawn, and for purposes of paying bills there now exists only one city pocket. However, only money actually anticipated to come into the treasury may be appropriated, thus securing the treasury from over-draft. This section was also designed to prevent further deficits, in the operating account, which in the last six years has been exceeded by \$360,000.

Supplementing these provisions for financial accounting are clauses by which "the head of each department . . . shall require proper time reports for all services rendered . . . to serve as a basis for the preparation of pay-roll vouchers," and by which each departmental head must submit "current financial and operating statements exhibiting the transactions (of his department) and the cost therefor." It is believed that these provisions adequately provide for progressive budget making, general finance accounts, cost accounts and operative records—the machinery of efficient government.

Revenue systems and forms of taxation are prescribed by general law, not subject to charter modification. However, complete detail, too lengthy to be discussed in a brief article, has been provided for the financing of public improvements and the control of franchises.

The brief time allowed for the preparation of the Dayton charter prevented a thorough consideration of some sections, and

a review by special authorities. No doubt it possesses many weaknesses, a number of which have already become apparent under closer scrutiny. However, it does not assume to be the last word, but rather the first word in government of this character. Only years of experience can solve many of the questions which are daily presenting themselves, and doubtless the final law controlling cities adopting the principles incorporated here will have many essential differences. Yet it is believed that there has been devised here a plan of government, the principle of which will solve the grave problem of municipal administration in America.

